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58TH CONGRESS,  
2d Session

SENATE

DECEMBER  
No. 105.

# COMPILATION

OF THE

## ACTS OF CONGRESS, TREATIES, AND PROCLAMATIONS

RELATING TO

### INSULAR AND MILITARY AFFAIRS

FROM

MARCH 4, 1897, TO MARCH 3, 1903

BUREAU OF INSULAR AFFAIRS,  
WAR DEPARTMENT.

JANUARY 15, 1904.—Referred to the Committee on Printing

WASHINGTON:  
GOVERNMENT PRINTING OFFICE:  
1904.











58TH CONGRESS, (   
 2d Session. )

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SENATE.

( DOCUMENT   
 ) No. 105.   
 )

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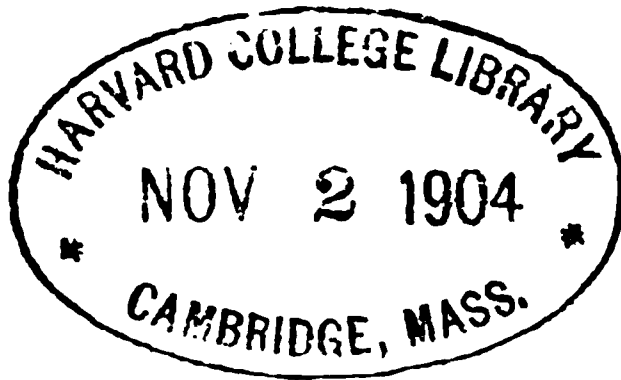
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*Library of Congress.*

IN THE SENATE OF THE UNITED STATES,  
*January 19, 1904.*

**Ordered.** That the compilation of the Acts of Congress, Treaties, and Proclamations Relating to the Insular and Military Affairs from March 4, 1897, to March 3, 1903. be printed as a document.

**Attest:**

**CHARLES G. BENNETT, Secretary.**

## LETTER OF TRANSMITTAL.

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WAR DEPARTMENT,  
*Washington, January 13, 1904.*

SIR: I beg to transmit herewith a compilation prepared by the Bureau of Insular Affairs, consisting of—

First. All legislation enacted by the Congress of the United States during the period between March 4, 1897, the beginning of the first session of the Fifty-fifth Congress, and March 3, 1903, the date of the final adjournment of the Fifty-seventh Congress, concerning the Philippines, Porto Rico, Cuba, Hawaii, the Samoan Islands, and Guam, the late Spanish-American war, and the Army and Navy of the United States.

Second. All proclamations issued by the President and treaties entered into by the United States during the said period concerning any of the above-mentioned islands, together with the treaty providing for the lease to the United States by the Government of Cuba of coaling or naval stations, ratified October 6, 1903, and the commercial convention between the United States and Cuba, proclaimed December 17, 1903.

I believe that this compilation should be printed. It would be useful to this Department and of probable value to all other Executive Departments, as well as a peculiarly convenient book of reference for the use of members of Congress, and therefore of enough importance to warrant its general distribution as a Congressional document rather than that the cost of its publication be charged to the limited allotment available for printing by the War Department. The Chief of the Bureau of Insular Affairs estimates that if printed it could be comprised in a volume of convenient reference size, the total cost of which at the Public Printing Office would be about \$1,000.

I suggest, therefore, that such printing be authorized by concurrent resolution, the volume to be proof read and indexed by the War Department.

Very respectfully,

ELIHU ROOT,  
*Secretary of War.*

Hon. WILLIAM P. FRYE,  
*President pro tempore United States Senate.*



## NOTE.

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The present work is a compilation of—

First. All legislation enacted by the Congress of the United States during the period embraced between March 4, 1897, the beginning of the first session of the Fifty-fifth Congress, and March 3, 1903, the date of the final adjournment of the Fifty-seventh Congress, concerning the Philippines, Hawaii, Porto Rico, the Samoan Islands, Guam, and Cuba, the late Spanish-American war, and the Army and Navy of the United States.

Second. All proclamations issued by the President and treaties entered into by the United States during the said period concerning any of the above-mentioned islands, together with the treaty providing for "Lease to the United States by the Government of Cuba of certain areas of land and water for naval or coaling stations in Guantnamo and Bahia Honda," ratified October 6, 1903, and the proclamation of the President, dated December 17, 1903, of the "Commercial Convention between the United States and Cuba."

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An act to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent. (April 29, 1902, Public No. 90, chap. 641, 32 Stat. L., pt. 1, p. 176.)	132
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An act for the suppression of train robbery in the Territories of the United States and elsewhere, and for other purposes. (July 1, 1902, Public No. 242, chap. 1376, 32 Stat. L., pt. 1, p. 727.)	138

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An act to regulate the immigration of aliens into the United States. (March 3, 1903, Public No. 162, chap. 1012, 32 Stat. L., pt. 1, p. 1213.)	141
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An act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes. (March 3, 1899, Public No. 185, chap. 421, 30 Stat. L., p. 1024.)	274
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An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for prior years, and for other purposes. (March 3, 1899, Public No. 191, chap. 427, 30 Stat. L., p. 1214.)	277
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An act authorizing payment of commutation of ration to the petty officers of the Navy who served on detached duty between March first, eighteen hundred and ninety-eight, and November fourth, eighteen hundred and ninety-nine. (February 7, 1900, Public No. 9, chap. 9, 31 Stat. L., p. 5.)	281
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An act to authorize the payment of traveling allowances to enlisted men of the regular and volunteer forces when discharged by order of the Secretary of War and stated by him as entitled to travel pay. (June 7, 1900, Public No. 196, chap. 860, 31 Stat. L., p. 708.)	290
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Joint resolution No. 31, for the appointment of first lieutenants of volunteers in the Signal Corps of the Army. (June 4, 1900, Public Resolution No. 31, 31 Stat. L., p. 719.)	292
Joint resolution No. 42, donating condemned cannon to the Commandery in Chief of the Sons of Veterans, United States of America. (June 7, 1900, Public Resolution No. 42, 31 Stat. L., p. 723.)	292

*Fifty-sixth Congress, second session.*

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An act for the payment of travel allowances, on discharge from the Volunteer Army, to certain officers and enlisted men who reentered the military service of the United States in the Philippine Islands. (February 8, 1901, Public No. 39, chap. 342, 31 Stat. L., p. 762.)	306
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An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes. (March 1, 1901, Public No. 113, chap. 677, 31 Stat. L., p. 873.)	308
An act making appropriation for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and two. (March 2, 1901, Public No. 118, chap. 803, 31 Stat. L., p. 895.)	308
An act to prevent the failure of military justice, and for other purposes. (March 2, 1901, Public No. 124, chap. 809, 31 Stat. L., p. 950.)	311
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An act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, nineteen hundred and two. (March 3, 1901, Public No. 156, chap. 851, 31 Stat. L., p. 1099.)	316

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<b>An act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and two, and for other purposes. (March 3, 1901, Public No. 157, chap. 852, 31 Stat. L., p. 1107.)</b> .....	316
<b>An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and two, and for other purposes. (March 3, 1901, Public No. 158, chap. 853, 31 Stat. L., p. 1133.)</b> .....	319
<b>Joint resolution No. 18, authorizing the Secretary of the Navy to cause bronze medals to be struck and distributed to certain officers and men who participated in the war with Spain, and for other purposes. (March 3, 1901, Public Resolution No. 17, 31 Stat. L., p. 1465.)</b> .....	320

*Fifty-seventh Congress, first session.*

<b>An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and two, and for prior years, and for other purposes. (February 14, 1902, Public No. 9, chap. 17, 32 Stat. L., pt. 1, p. 5.)</b> .....	320
<b>An act to allow the commutation of and second homestead entries incertain cases. (May 22, 1902, Public No. 122, chap. 821, 31 Stat. L., pt. 1, p. 203.)</b> .....	321
<b>An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes. (June 28, 1902, Public No. 182, chap. 1301, 32 Stat. L., pt. 1, p. 419.)</b> .....	322
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<b>An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and two, and for prior years, and for other purposes. (July 1, 1902, Public No. 217, chap. 1351, 32 Stat. L., pt. 1, p. 552 )</b> .....	325
<b>An act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes. (July 1, 1902, Public No. 234, chap. 1368, 32 Stat. L., pt. 1, p. 662.)</b> .....	327

*Fifty-seventh Congress, second session.*

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PHILIPPINES.

*Fifty-fifth Congress, third session.*

[No. 25.] Joint Resolution Providing for the printing of the March 1, 1899.  
Report on the Financial and Industrial Conditions of the Philippine [Pub. Res. No.  
Islands, by Edward W. Harden, special commissioner of the United 24.]  
States. 30 Stats. L., p.  
1301.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That* there be printed nine thousand copies of the Report on the Financial and Industrial Conditions of the Philippine Islands, by Edward W. Harden, special commissioner of the United States; three thousand copies for the use of the Senate, five thousand copies for the use of the House of Representatives, and one thousand copies for the use of the Treasury Department. Printing au-  
thorized of Re-  
port on Finan-  
cial and Indus-  
trial Conditions  
of the Philip-  
pine Islands.

**CHAP. 427.**—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for prior years, and for other purposes. March 3, 1899.  
[Public.No.191.]  
30 Stats. L., p.  
1214.

\* \* \* \* \*

WAR DEPARTMENT.

\* \* \* \* \*

**QUARTERMASTER'S DEPARTMENT:** \* \* \* For transportation of the Army and its supplies, namely: \* \* \* Transporta-  
tion. including not exceeding one million five hundred thousand dollars for transportation of Spanish prisoners held by the United States and by the insurgents in the Philippine Islands, from those islands to Spain, as provided by the Treaty of Paris; \* \* \*

\* \* \* \* \*

*Fifty-sixth Congress, first session.*

**CHAP. 14.**—An Act Making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred, and for prior years, and for other purposes. February 9, 1900.  
[Public. No. 14.]  
31 Stats. L., p.  
7.

\* \* \* \* \*



## QUARTERMASTER'S DEPARTMENT.

\* \* \* \* \*

TRANSPORTATION OF THE ARMY AND ITS SUPPLIES:  
 \* \* \* including not exceeding seven hundred and fifty  
 thousand dollars for transportation of Spanish prisoners  
 held by the United States and by the insurgents in the  
 Philippine Islands from those islands to Spain, as pro-  
 vided by the Treaty of Paris; \* \* \*

\* \* \* \* \*

*Fifty-sixth Congress, second session.*

March 2, 1901. **CHAP. 803.**—An Act Making appropriation for the support of  
 [Public.No.118.] the Army for the fiscal year ending June thirtieth, nineteen hun-  
 31 Stats. L., p. dred and two.  
 895.

\* \* \* \* \*

Philippine Is- All military, civil, and judicial powers necessary to gov-  
 lands. ern the Philippine Islands, acquired from Spain by the  
 President au- treaties concluded at Paris on the tenth day of December,  
 thorized to es- eighteen hundred and ninety-eight, and at Washington on  
 tablish tempo- the seventh day of November, nineteen hundred, shall,  
 rary civil gov- until otherwise provided by Congress, be vested in such  
 ernment in. person and persons and shall be exercised in such manner  
 as the President of the United States shall direct, for the  
 establishment of civil government and for maintaining  
 and protecting the inhabitants of said islands in the free  
 enjoyment of their liberty, property, and religion: *Pro-*

*Provisos.*  
 Franchises to *vided*, That all franchises granted under the authority  
 contain reserva- hereof shall contain a reservation of the right to alter,  
 tion of right to amend, or repeal the same.

Reports to be Until a permanent government shall have been estab-  
 made to Con- lished in said archipelago full reports shall be made to  
 gress, etc. Congress on or before the first day of each regular session  
 of all legislative acts and proceedings of the temporary  
 government instituted under the provisions hereof; and  
 full reports of the acts and doings of said government,  
 and as to the condition of the archipelago and of its peo-  
 ple, shall be made to the President, including all informa-  
 tion which may be useful to the Congress in providing for  
 a more permanent government: *Provided*, That no sale or  
 lease or other disposition of the public lands or the timber  
 thereon or the mining rights therein shall be made: *And*  
*provided further*, That no franchise shall be granted  
 which is not approved by the President of the United  
 States, and is not in his judgment clearly necessary for  
 the immediate government of the islands and indispensable  
 for the interest of the people thereof, and which can not,  
 without great public mischief, be postponed until the  
 establishment of permanent civil government; and all  
 such franchises shall terminate one year after the estab-  
 lishment of such permanent civil government.

**Repeal.** All laws or parts of laws inconsistent with the provisions  
 of this Act are hereby repealed.

*Fifty-seventh Congress, first session.*

**HAP. 140.**—An Act Temporarily to provide revenue for the Philippine Islands, and for other purposes.

March 8, 1902.

[Public, No. 28.]  
32 Stats. L., pt.  
1, p. 54.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* the provisions of an Act entitled "An Act to revise and amend the tariff laws of the Philippine Archipelago," enacted by the United States Philippine Commission on the nineteenth day of September, nineteen hundred and one, shall be and remain in full force and effect, and there shall be levied, collected, and paid upon all articles coming from the Philippine Archipelago from the United States the rates of duty which are required by the said Act to be levied, collected, and paid upon like articles imported from foreign countries into said archipelago.

Philippine Islands.  
Tariff laws of Philippine Commission confirmed.

**SEC. 2.** That on and after the passage of this Act there shall be levied, collected, and paid upon all articles coming into the United States from the Philippine Archipelago the rates of duty which are required to be levied, collected, and paid upon like articles imported from foreign countries: *Provided*, That upon all articles the growth and product of the Philippine Archipelago coming into the United States from the Philippine Archipelago there shall be levied, collected, and paid only seventy-five per centum of the rates of duty aforesaid: *And provided further*, That the rates of duty which are required hereby to be levied, collected, and paid upon products of the Philippine Archipelago coming into the United States shall be less any duty or taxes levied, collected, and paid thereon upon the export thereof from the Philippine Archipelago, as provided by the Act of the United States Philippine Commission referred to in section one of this Act, under such rules and regulations as the Secretary of the Treasury may prescribe, but all articles, the growth and product of the Philippine Islands, admitted into the ports of the United States free of duty under the provisions of this Act and coming directly from said islands to the United States for use and consumption therein, shall be hereafter exempt from any port duties imposed in the Philippine Islands.

Articles from Philippines to pay regular customs duties.

*Proviso.*  
Reduction on Philippine products.

Duty to be less taxes levied on exports.

Articles on free list exempt from Philippine export duties.

**SEC. 3.** That on and after the passage of this Act the same tonnage taxes shall be levied, collected, and paid on all foreign vessels coming into the United States from the Philippine Archipelago which are required by law to be levied, collected, and paid upon vessels coming into the United States from foreign countries: *Provided, however*, that until July first, nineteen hundred and four, the provisions of law restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from one port of the United States to another port of the United States shall not be applicable to foreign vessels engaging in trade between the Philippine Archipelago and the United States, or between ports in the

Tonnage tax on foreign vessels.

*Proviso.*  
Temporary permit to foreign vessels.

Licenses to harbor vessels. Philippine Archipelago: *And provided further*, That the Philippine Commission shall be authorized and empowered

"The above was amended April 15, 1904, as follows:

AN ACT To regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That on and after July first, nineteen hundred and six, no merchandise except supplies for the Army or Navy shall be transported by sea, under penalty of forfeiture thereof, between ports of the United States and ports or places in the Philippine Archipelago, directly or via a foreign port, or for any part of the voyage, in any other vessel than a vessel of the United States. But this section shall not be construed to prohibit the sailing of any foreign vessel between any port of the United States and any port or place in the Philippine Archipelago: *Provided*, That no merchandise other than that imported in such vessel from some foreign port which has been specified on the manifest as for another port, and which shall not have been unloaded, shall be carried between a port of the United States and a port or place in the Philippine Archipelago.

SEC. 2. That on and after July first, nineteen hundred and six, no foreign vessel shall transport passengers between ports of the United States and ports or places in the Philippine Archipelago, either directly or by way of a foreign port, under a penalty of two hundred dollars for each passenger so transported and landed.

SEC. 3. That sections one and two of this Act shall not apply to the transportation of merchandise or passengers between ports or places in the Philippine Archipelago. Until Congress shall have authorized the registry as vessels of the United States of vessels owned in the Philippine Archipelago the government of the Philippine Islands is hereby authorized to adopt, from time to time, and enforce regulations governing the transportation of merchandise and passengers between ports or places in the Philippine Archipelago.

SEC. 4. That sections one and two of this Act shall not apply to the voyage of a vessel between a port of the United States and a port or place in the Philippine Archipelago begun before July first, nineteen hundred and six.

SEC. 5. That sections one and two of this Act shall not apply to vessels owned by the United States.

SEC. 6. That on and after the passage of this Act the same tonnage taxes shall be levied, collected, and paid upon all foreign vessels coming into the United States from the Philippine Archipelago which are required by law to be levied, collected, and paid upon vessels coming into the United States from foreign countries: *Provided, however*, That until July first, nineteen hundred and six, the provisions of law restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from one port of the United States to another port of the United States shall not be applicable to foreign vessels engaging in trade between the Philippine Archipelago and the United States: *And provided further*, That the Philippine Commission shall be authorized and empowered to issue licenses to engage in lighterage or other exclusively harbor business to vessels or other craft actually engaged in such business at the date of the passage of this Act, and to vessels or other craft built in the Philippine Islands or in the United States and owned by citizens of the United States or by inhabitants of the Philippine Islands.

SEC. 7. That this Act shall not be construed to impair or affect any privilege guaranteed to Spanish ships and merchandise by the treaty of peace between the United States and Spain signed at the city of Paris on December tenth, eighteen hundred and ninety-eight, and ratified April eleventh, eighteen hundred and ninety-nine.

SEC. 8. That the Secretary of Commerce and Labor shall, from time to time, issue regulations for the enforcement of this Act, except as otherwise provided in section three: *Provided*, That such

to issue licenses to engage in lighterage or other exclusively harbor business to vessels or other craft actually engaged in such business at the date of the passage of this Act, and to vessels or other craft built in the Philippine Islands or in the United States and owned by citizens of the United States or by inhabitants of the Philippine Islands.

SEC. 4. That the duties and taxes collected in the Philippine Archipelago in pursuance of this Act, and all duties and taxes collected in the United States upon articles coming from the Philippine Archipelago and upon foreign vessels coming therefrom, shall not be covered into the general fund of the Treasury of the United States, but shall be held as a separate fund and paid into the treasury of the Philippine Islands, to be used and expended for the government and benefit of said islands.

Duties, etc., to constitute a separate fund in Treasury for benefit of Philippine Islands.

SEC. 5. That when duties prescribed by this Act are based upon the weight of merchandise deposited in any public or private bonded warehouse, said duties shall be levied and collected upon the weight of such merchandise at the time of its entry.

Duties to be based on weight at time of entry.

SEC. 6. That all articles manufactured in bonded manufacturing warehouses in whole or in part of imported materials, or of materials subject to internal-revenue tax and intended for shipment from the United States to the Philippine Islands, shall, when so shipped, under such regulations as the Secretary of the Treasury may prescribe, be exempt from internal-revenue tax, and shall not be charged with duty except the duty levied under this Act upon imports into the Philippine Islands."

Articles exempt from internal-revenue tax, etc.

of the navigation laws of the United States as are in force in the Philippine Archipelago in regard to vessels arriving in the Philippine Islands from the mainland territory and other insular possessions of the United States shall continue to be administered by the proper officials of the government of the Philippine Islands.

Approved, April 15, 1904.

"The following additional legislation was enacted April 23, 1904:

[PUBLIC—No. 258.]

AN ACT To relieve obligors on bonds given to the United States upon the exportation to the Philippine Islands prior to November twentieth, nineteen hundred and one, of articles subject to internal-revenue tax.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That all bonds given to the United States prior to November twentieth, nineteen hundred and one, upon the transportation and shipment to the Philippine Islands of articles subject under existing statutes to the payment of internal-revenue tax, which are in form given for the proper exportation of the article therein described to a foreign country free of internal-revenue tax, or with benefit of drawback, as the case may be, shall be treated in all respects as if given for and upon a shipment to a foreign country, and shall be canceled upon presentation of evidence of the shipment to a port of the Philippine Islands, or of landing at such port, as the case may be, the same as if such port were a port of a foreign country. The obligors upon any of such bonds shall have such reasonable time from and after the passage of this Act as may be prescribed by the Secretary of the Treasury within which to present the evidence required by existing statutes for the cancellation of such bonds.

Approved, April 28, 1904.

**Drawbacks, etc.** That all articles subject under the laws of the United States to internal-revenue tax, or on which the internal-revenue tax has been paid, and which may under existing laws and regulations be exported to a foreign country without the payment of such tax, or with benefit of drawback, as the case may be, may also be shipped to the Philippine Islands with like privilege, under such regulations and the filing of such bonds, bills of lading, and other security as the Commissioner of Internal Revenue may, with the approval of the Secretary of the Treasury, prescribe. And all taxes paid upon such articles shipped to the Philippine Islands since November fifteenth, nineteen hundred and one, under the decision of the Secretary of the Treasury of that date, shall be refunded to the parties who have paid the same, under such rules and regulations as the Secretary of the Treasury may prescribe, and a sum sufficient to make such payment is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

**Taxes refunded.**

**Appropriation.**

**Drawback for materials.**

That where materials on which duties have been paid are used in the manufacture of articles manufactured or produced in the United States, there shall be allowed on the shipment of said articles to the Philippine Archipelago a drawback equal in amount to the duties paid on the materials used, less one per centum of such duties, under such rules and regulations as the Secretary of the Treasury may prescribe.

**Reexportation to the Philippines.**

SEC. 7. That merchandise in bonded warehouse or otherwise in the custody and control of the officers of the customs, upon which duties have been paid, shall be entitled, on shipment to the Philippine Islands within three years from the date of the original arrival, to a return of the duties paid less one per centum, and merchandise upon which duties have not been paid may be shipped without the payment of duties to the Philippine Islands within said period, under such rules and regulations as may be prescribed by the Secretary of the Treasury.

**Customs administration and tariff laws applicable.**

Vol. 28, p. 131.

Vol. 30, p. 151.

SEC. 8. That the provisions of the Act entitled "An Act to simplify the laws in relation to the collection of revenues," approved June tenth, eighteen hundred and ninety, as amended by an Act entitled "An Act to provide for the Government and to encourage the industries of the United States," approved July twenty-fourth, eighteen hundred and ninety-seven, shall apply to all articles coming into the United States from the Philippine Archipelago.

**Treason. Evidence necessary to convict accused.**

SEC. 9. That no person in the Philippine Islands shall, under the authority of the United States, be convicted of treason by any tribunal, civil or military, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

July 1, 1902.

[Public, No. 235.]

32 Stats. L., pt.

1, p. 691.

**Philippine Islands.**

**CHAP. 1369.**—An Act Temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That*



the action of the President of the United States in creating the Philippine Commission and authorizing said Commission to exercise the powers of government to the extent and in the manner and form and subject to the regulation and control set forth in the instructions of the President to the Philippine Commission, dated April seventh, nineteen hundred, and in creating the offices of civil governor and vice-governor of the Philippine Islands, and authorizing said civil governor and vice-governor to exercise the powers of government to the extent and in the manner and form set forth in the Executive order dated June twenty-first, nineteen hundred and one, and in establishing four executive departments of government in said Islands as set forth in the Act of the Philippine Commission, entitled "An Act providing an organization for the departments of the interior, of commerce and police, of finance and justice, and of public instruction," enacted September sixth, nineteen hundred and one, is hereby approved, ratified, and confirmed, and until otherwise provided by law the said islands shall continue to be governed as thereby and herein provided, and all laws passed hereafter by the Philippine Commission shall have an enacting clause as follows: "By authority of the United States be it enacted by the Philippine Commission." The provisions of section eighteen hundred and ninety-one of the Revised Statutes of eighteen hundred and seventy-eight shall not apply to the Philippine Islands.

Temporary civil government established in, ratified.

Constitution and laws of the United States not applicable. R. S., sec. 1891, p. 333.

Future appointments of civil governor, vice-governor, members of said Commission and heads of executive departments shall be made by the President, by and with the advice and consent of the Senate.

Future civil appointments in.

SEC. 2. That the action of the President of the United States heretofore taken by virtue of the authority vested in him as Commander in Chief of the Army and Navy, as set forth in his order of July twelfth, eighteen hundred and ninety-eight, whereby a tariff of duties and taxes as set forth by said order was to be levied and collected at all ports and places in the Philippine Islands upon passing into the occupation and possession of the forces of the United States, together with the subsequent amendments of said order, are hereby approved, ratified, and confirmed, and the actions of the authorities of the government of the Philippine Islands, taken in accordance with the provisions of said order and subsequent amendments, are hereby approved: *Provided*, That nothing contained in this section shall be held to amend or repeal an Act entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," approved March eighth, nineteen hundred and two.

Tariff duties and taxes.

Proviso. Revenue law not affected.

SEC. 3. That the President of the United States, during such time as and whenever the sovereignty and authority of the United States encounter armed resistance in the Philippine Islands, until otherwise provided by Congress, shall continue to regulate and control commercial intercourse with and within said Islands by such general rules and regulations as he, in his discretion, may deem most conducive to the public interests and the general welfare.

Commercial intercourse during hostilities.

Philippine  
citizenship.

SEC. 4. That all inhabitants of the Philippine Islands continuing to reside therein who were Spanish subjects on the eleventh day of April, eighteen hundred and ninety-nine, and then resided in said Islands, and their children born subsequent thereto, shall be deemed and held to be citizens of the Philippine Islands and as such entitled to the protection of the United States, except such as shall have elected to preserve their allegiance to the Crown of Spain in accordance with the provisions of the treaty of peace between the United States and Spain signed at Paris December tenth, eighteen hundred and ninety-eight.

Declaration of  
rights.  
Protection to  
life, liberty, etc

SEC. 5. That no law shall be enacted in said islands which shall deprive any person of life, liberty, or property without due process of law, or deny to any person therein the equal protection of the laws.

Criminal pros-  
ecutions.

That in all criminal prosecutions the accused shall enjoy the right to be heard by himself and counsel, to demand the nature and cause of the accusation against him, to have a speedy and public trial, to meet the witnesses face to face, and to have compulsory process to compel the attendance of witnesses in his behalf.

Trial.

That no person shall be held to answer for a criminal offense without due process of law; and no person for the same offense shall be twice put in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself.

Bail, exception.

That all persons shall before conviction be bailable by sufficient sureties, except for capital offenses.

Contracts.

That no law impairing the obligation of contracts shall be enacted.

Imprisonment  
for debt.

That no person shall be imprisoned for debt.

Writs of ha-  
beas corpus.

That the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion, insurrection, or invasion the public safety may require it, in either of which events the same may be suspended by the President, or by the governor, with the approval of the Philippine Commission, wherever during such period the necessity for such suspension shall exist.

Ex post facto  
laws, etc.

That no ex post facto law or bill of attainder shall be enacted.

Title of nobil-  
ity, etc.

That no law granting a title of nobility shall be enacted, and no person holding any office of profit or trust in said islands, shall, without the consent of the Congress of the United States, accept any present, emolument, office, or title of any kind whatever from any king, queen, prince, or foreign State.

Excessive bail,  
etc.

That excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

Seizures, etc.

That the right to be secure against unreasonable searches and seizures shall not be violated.

Slavery.

That neither slavery, nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in said islands.

Freedom of  
speech.

That no law shall be passed abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and petition the Government for redress of grievances.

That no law shall be made respecting an establishment of religion or prohibiting the free exercise thereof, and that the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed.

That no money shall be paid out of the treasury except Appropriations.  
in pursuance of an appropriation by law.

That the rule of taxation in said islands shall be uniform. Taxation.

That no private or local bill which may be enacted into law shall embrace more than one subject, and that subject shall be expressed in the title of the bill. Private bills.

That no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized.

That all money collected on any tax levied or assessed for a special purpose shall be treated as a special fund in the treasury and paid out for such purpose only. Special taxes.

SEC. 6. That whenever the existing insurrection in the Philippine Islands shall have ceased and a condition of general and complete peace shall have been established therein and the fact shall be certified to the President by the Philippine Commission, the President, upon being satisfied thereof, shall order a census of the Philippine Islands to be taken by said Philippine Commission; such census in its inquiries relating to the population shall take and make so far as practicable full report for all the inhabitants, of name, age, sex, race, or tribe, whether native or foreign born, literacy in Spanish, native dialect or language, or in English, school attendance, ownership of homes, industrial and social statistics, and such other information separately for each island, each province, and municipality, or other civil division, as the President and said Commission may deem necessary: *Provided*, That the President may, upon the request of said Commission, in his discretion, employ the service of the Census Bureau in compiling and promulgating the statistical information above provided for, and may commit to such Bureau any part or portion of such labor as to him may seem wise.

**SEC. 7.** That two years after the completion and publication of the census, in case such condition of general and complete peace with recognition of the authority of the United States shall have continued in the territory of said Islands not inhabited by Moros or other non-Christian tribes and such facts shall have been certified to the President by the Philippine Commission, the President upon being satisfied thereof shall direct said Commission to call, and the Commission shall call, a general election for the choice of delegates to a popular assembly of the people of said territory in the Philippine Islands, which shall be known as the Philippine assembly. After said assembly shall have convened and organized, all the legislative power heretofore conferred on the Philippine Commission in all that part of said Islands not inhabited by

General election, etc.

Moros and non-Christian tribes excluded.

Legislative assembly established.



Moros or other non-Christian tribes shall be vested in a legislature consisting of two houses—The Philippine Commission and the Philippine assembly. Said assembly shall consist of not less than fifty nor more than one hundred members to be apportioned by said Commission among the provinces as nearly as practicable according to population: *Provided*, That no province shall have less than one member: *And provided further*, That provinces entitled by population to more than one member may be divided into such convenient districts as the said Commission may deem best.

**Provisos.**  
**Minimum representation.**  
**Election districts.**

**Public notice.** Public notice of such division shall be given at least ninety days prior to such election, and the election shall be held under rules and regulations to be prescribed by law. The qualification of electors in such election shall be the same as is now provided by law in case of electors in municipal elections. The members of assembly shall hold office for two years from the first day of January next following their election, and their successors shall be chosen by the people every second year thereafter.

**Qualification of electors.**

**Terms of office.**

**Eligibility.** No person shall be eligible to such election who is not a qualified elector of the election district in which he may be chosen, owing allegiance to the United States, and twenty-five years of age.

**Annual sessions.** The legislature shall hold annual sessions, commencing on the first Monday of February in each year and continuing not exceeding ninety days thereafter (Sundays and holidays not included): *Provided*, That the first meeting of the legislature shall be held upon the call of the governor within ninety days after the first election: *And provided further*, That if at the termination of any session the appropriations necessary for the support of government shall not have been made, an amount equal to the sums appropriated in the last appropriation bills for such purposes shall be deemed to be appropriated; and until the legislature shall act in such behalf the treasurer may, with the advice of the governor, make the payments necessary for the purposes aforesaid.

**Provisos.**  
**First meeting.**

**Provision for government expenses.**

**Special sessions.** The legislature may be called in special session at any time by the civil governor for general legislation, or for action on such specific subjects as he may designate. No special session shall continue longer than thirty days, exclusive of Sundays.

**Powers and duties.** The assembly shall be the judge of the elections, returns, and qualifications of its members. A majority shall constitute a quorum to do business, but a smaller number may adjourn from day to day and may be authorized to compel the attendance of absent members. It shall choose its speaker and other officers, and the salaries of its members and officers shall be fixed by law. It may determine the rule of its proceedings, punish its members for disorderly behavior, and with the concurrence of two-thirds expel a member. It shall keep a journal of its proceedings, which shall be published, and the yeas and nays of the members on any question shall, on the demand of one-fifth of those present, be entered on the journal.

SEC. 8. That at the same time with the first meeting of the Philippine legislature, and biennially thereafter, there shall be chosen by said legislature, each house voting separately, two resident commissioners to the United States, who shall be entitled to an official recognition as such by all departments upon presentation to the President of a certificate of election by the civil governor of said islands, and each of whom shall be entitled to a salary payable monthly by the United States at the rate of five thousand dollars per annum, and two thousand dollars additional to cover all expenses: *Provided*, That no person shall be eligible to such election who is not a qualified elector of said islands, owing allegiance to the United States, and who is not thirty years of age.

Resident commissioners to the United States.

Salaries.

*Proviso.*  
Eligibility.

SEC. 9. That the Supreme Court and the courts of first instance of the Philippine Islands shall possess and exercise jurisdiction as heretofore provided and such additional jurisdiction as shall hereafter be prescribed by the government of said Islands, subject to the power of said Government to change the practice and method of procedure. The municipal courts of said Islands shall possess and exercise jurisdiction as heretofore provided by the Philippine Commission, subject in all matters to such alteration and amendment as may be hereafter enacted by law; and the chief justice and associate justices of the supreme court shall hereafter be appointed by the President, by and with the advice and consent of the Senate, and shall receive the compensation heretofore prescribed by the Commission until otherwise provided by Congress. The judges of the court of first instance shall be appointed by the civil governor, by and with the advice and consent of the Philippine Commission: *Provided*, That the admiralty jurisdiction of the supreme court and courts of first instance shall not be changed except by Act of Congress.

Supreme Court, etc.  
Jurisdiction.

Municipal courts.

Appointment of judges.

*Proviso.*  
Admiralty jurisdiction.

SEC. 10. That the Supreme Court of the United States shall have jurisdiction to review, revise, reverse, modify, or affirm the final judgments and decrees of the supreme court of the Philippine Islands in all actions, cases, causes, and proceedings now pending therein or hereafter determined thereby in which the Constitution or any statute, treaty, title, right, or privilege of the United States is involved, or in causes in which the value in controversy exceeds twenty-five thousand dollars, or in which the title or possession of real estate exceeding in value the sum of twenty-five thousand dollars, to be ascertained by the oath of either party or of other competent witnesses, is involved or brought in question; and such final judgments or decrees may and can be reviewed, revised, reversed, modified, or affirmed by said Supreme Court of the United States on appeal or writ of error by the party aggrieved, in the same manner, under the same regulations, and by the same procedure, as far as applicable, as the final judgments and decrees of the circuit courts of the United States.

Appeal, etc., to United States Supreme Court.

SEC. 11. That the government of the Philippine Islands is hereby authorized to provide for the needs of commerce

Improvements of rivers and harbors.

Protection to  
navigation, etc.

by improving the harbors and navigable waters of said islands and to construct and maintain in said navigable waters and upon the shore adjacent thereto bonded warehouses, wharves, piers, light-houses, signal and life-saving stations, buoys, and like instruments of commerce, and to adopt and enforce regulations in regard thereto, including bonded warehouses wherein articles not intended to be imported into said islands nor mingled with the property therein, but brought into a port of said islands for reshipment to another country, may be deposited in bond and reshipped to another country without the payment of customs duties or charges.

Transfer of  
property, etc.,  
to Philippine  
government.

SEC. 12. That all the property and rights which may have been acquired in the Philippine Islands by the United States under the treaty of peace with Spain, signed December tenth, eighteen hundred and ninety-eight, except such land or other property as shall be designated by the President of the United States for military and other reservations of the Government of the United States, are hereby placed under the control of the government of said islands to be administered for the benefit of the inhabitants thereof, except as provided in this Act.

Military and  
other reserva-  
tions excepted.

Public lands.

SEC. 13. That the government of the Philippine Islands, subject to the provisions of this Act and except as herein provided, shall classify according to its agricultural character and productiveness, and shall immediately make rules and regulations for the lease, sale, or other disposition of the public lands other than timber or mineral lands, but such rules and regulations shall not go into effect or have the force of law until they have received the approval of the President and when approved by the President they shall be submitted by him to Congress at the beginning of the next ensuing session thereof and unless disapproved or amended by Congress at said session they shall at the close of such period have the force and effect of law in the Philippine Islands: *Provided*, That a single homestead entry shall not exceed sixteen hectares in extent.

Exception.  
Regulations.

*Provided*.  
Homesteads.

Perfecting ti-  
tles by present  
owners.

SEC. 14. That the government of the Philippine Islands is hereby authorized and empowered to enact rules and regulations and to prescribe terms and conditions to enable persons to perfect their title to public lands in said Islands, who, prior to the transfer of sovereignty from Spain to the United States, had fulfilled all or some of the conditions required by the Spanish laws and royal decrees of the Kingdom of Spain for the acquisition of legal title thereto yet failed to secure conveyance of title; and the Philippine Commission is authorized to issue patents, without compensation, to any native of said Islands, conveying title to any tract of land not more than sixteen hectares in extent, which were public lands and had been actually occupied by such native or his ancestors prior to and on the thirteenth of August, eighteen hundred and ninety-eight.

Issuance of  
patents.

Limit of sales  
to settlers.

SEC. 15. That the government of the Philippine Islands is hereby authorized and empowered, on such terms as it

may prescribe, by general legislation, to provide for the granting or sale and conveyance to actual occupants and settlers and other citizens of said islands such parts and portions of the public domain, other than timber and mineral lands, of the United States in said islands as it may deem wise, not exceeding sixteen hectares to any one person and for the sale and conveyance of not more than one thousand and twenty-four hectares to any corporation or association of persons: *Provided*, That the grant or sale of such lands, whether the purchase price be paid at once or in partial payments, shall be conditioned upon actual and continued occupancy, improvement, and cultivation of the premises sold for a period of not less than five years, during which time the purchaser or grantee can not alienate or encumber said land or the title thereto; but such restriction shall not apply to transfers of rights and title of inheritance under the laws for the distribution of the estates of decedents.

*Proviso.*  
Occupancy,  
improvement,  
etc.

SEC. 16. That in granting or selling any part of the public domain under the provisions of the last preceding section, preference in all cases shall be given to actual occupants and settlers; and such public lands of the United States in the actual possession or occupancy of any native of the Philippine Islands shall not be sold by said government to any other person without the consent thereto of said prior occupant or settler first had and obtained: *Provided*, That the prior right hereby secured to an occupant of land, who can show no other proof of title than possession, shall not apply to more than sixteen hectares in any one tract.

Preference to  
actual occu-  
pants.

Natives.

*Proviso.*  
Limit of area.

SEC. 17. That timber, trees, forests, and forest products on lands leased or demised by the government of the Philippine Islands under the provisions of this Act shall not be cut, destroyed, removed, or appropriated except by special permission of said government and under such regulations as it may prescribe.

Protection of  
forests.

All moneys obtained from lease or sale of any portion of the public domain or from licenses to cut timber by the government of the Philippine Islands shall be covered into the insular treasury and be subject only to appropriation for insular purposes according to law.

Use of re-  
ceipts.

SEC. 18. That the forest laws and regulations now in force in the Philippine Islands, with such modifications and amendments as may be made by the government of said islands, are hereby continued in force, and no timber lands forming part of the public domain shall be sold, leased, or entered until the government of said islands, upon the certification of the forestry bureau that said lands are more valuable for agriculture than for forest uses, shall declare such lands so certified to be agricultural in character: *Provided*, That the said government shall have the right and is hereby empowered to issue licenses to cut, harvest, or collect timber or other forest products on reserved or unreserved public lands in said islands in accordance with the forest laws and regulations hereinbefore mentioned and under the provisions of this

Forest laws,  
etc., continued.

*Proviso.*  
Timber li-  
censes.

Act, and the said government may lease land to any person or persons holding such licenses, sufficient for a mill site, not to exceed four hectares in extent, and may grant rights of way to enable such person or persons to get access to the lands to which such licenses apply.

Basis of water privileges.

SEC. 19. That the beneficial use shall be the basis, the measure, and the limit of all rights to water in said islands, and the government of said islands is hereby authorized to make such rules and regulations for the use of water, and to make such reservations of public lands for the protection of the water supply, and for other public purposes not in conflict with the provisions of this Act, as it may deem best for the public good.

#### MINERAL LANDS.

Disposal.

SEC. 20. That in all cases public lands in the Philippine Islands valuable for minerals shall be reserved from sale, except as otherwise expressly directed by law.

Purchase, etc., by citizens.

SEC. 21. That all valuable mineral deposits in public lands in the Philippine Islands, both surveyed and unsurveyed, are hereby declared to be free and open to exploration, occupation, and purchase, and the land in which they are found to occupation and purchase, by citizens of the United States, or of said Islands: *Provided*, That when on any lands in said islands entered and occupied as agricultural lands under the provisions of this Act, but not patented, mineral deposits have been found, the working of such mineral deposits is hereby forbidden until the person, association, or corporation who or which has entered and is occupying such lands shall have paid to the government of said islands such additional sum or sums as will make the total amount paid for the mineral claim or claims in which said deposits are located equal to the amount charged by the government for the same as mineral claims.

*Proviso.*  
Minerals on  
unpatented ag-  
ricultural lands.

Locating of  
mineral claims.

SEC. 22. That mining claims upon land containing veins or lodes of quartz or other rock in place of bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposits, located after the passage of this Act, whether located by one or more persons qualified to locate the same under the preceding section, shall be located in the following manner and under the following conditions: Any person so qualified desiring to locate a mineral claim shall, subject to the provisions of this Act with respect to land which may be used for mining, enter upon the same and locate a plot of ground measuring, where possible, but not exceeding, one thousand feet in length by one thousand feet in breadth, in as nearly as possible a rectangular form; that is to say: All angles shall be right angles, except in cases where a boundary line of a previously surveyed claim is adopted as common to both claims, but the lines need not necessarily be meridional. In defining the size of a mineral claim, it shall be measured horizontally, irrespective of inequalities of the surface of the ground.

Regulations.



SEC. 23. That a mineral claim shall be marked by two posts placed as nearly as possible on the line of the ledge or vein, and the posts shall be numbered one and two, and the distance between posts numbered one and two shall not exceed one thousand feet, the line between posts numbered one and two to be known as the location line; and upon posts numbered one and two shall be written the name given to the mineral claim, the name of the locator, and the date of the location. Upon post numbered one there shall be written, in addition to the foregoing, "Initial post," the approximate compass bearing of post numbered two, and a statement of the number of feet lying to the right and to the left of the line from post numbered one to post numbered two, thus: "Initial post. Direction of post numbered two. ——— feet of this claim lie on the right and ——— feet on the left of the line from number one to number two post." All the particulars required to be put on number one and number two posts shall be furnished by the locator to the provincial secretary, or such other officer as by the Philippine government may be described as mining recorder, in writing, at the time the claim is recorded, and shall form a part of the record of such claim.

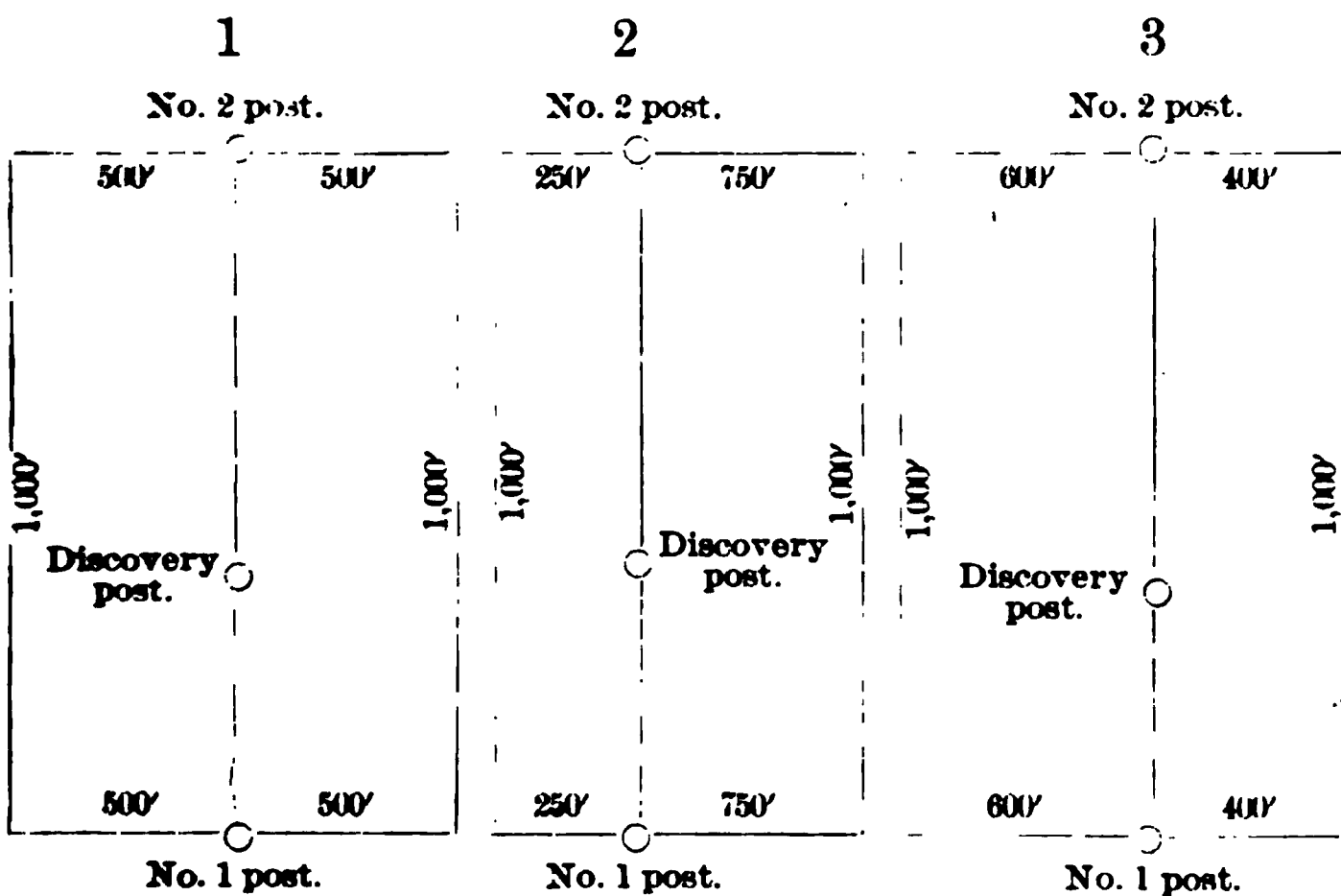
Demarcation of claims.

SEC. 24. That when a claim has been located the holder shall immediately mark the line between posts numbered one and two so that it can be distinctly seen. The locator shall also place a post at the point where he has found minerals in place, on which shall be written "Discovery post:" *Provided*, That when the claim is surveyed the surveyor shall be guided by the records of the claim, the sketch plan on the back of the declaration made by the owner when the claim was recorded, posts numbered one and two, and the notice on number one, the initial post.

Marking lines of claims.

Proviso. Surveys.

EXAMPLES OF VARIOUS MODES OF LAYING OUT CLAIMS. Examples of laying out claims.



SEC. 25. That it shall not be lawful to move number one post, but number two post may be moved by the deputy

Removal of posts unlawful

mineral surveyor when the distance between posts numbered one and two exceeds one thousand feet, in order to place number two post one thousand feet from number one post on the line of location. When the distance between posts numbered one and two is less than one thousand feet the deputy mineral surveyor shall have no authority to extend the claim beyond number two.

**"Location lines."** SEC. 26. That the "location line" shall govern the direction of one side of the claim, upon which the survey shall be extended according to this Act.

**Restrictions.** SEC. 27. That the holder of a mineral claim shall be entitled to all minerals which may lie within his claim, but he shall not be entitled to mine outside the boundary lines of his claim continued vertically downward: *Provided*, That this Act shall not prejudice the rights of claim owners nor claim holders whose claims have been located under existing laws prior to this Act.

*Proviso.*  
Prior claims  
not prejudiced.

**Claims of full size.** SEC. 28. That no mineral claim of the full size shall be recorded without the application being accompanied by an affidavit made by the applicant or some person on his behalf cognizant of the facts—that the legal notices and posts have been put up; that mineral has been found in place on the claim proposed to be recorded; that the ground applied for is unoccupied by any other person. In the said declaration shall be set out the name of the applicant and the date of the location of the claim. The words written on the number one and number two posts shall be set out in full, and as accurate a description as possible of the position of the claim given with reference to some natural object or permanent monuments.

**Application and affidavit.**

**Fractional claims.** SEC. 29. That no mineral claim which at the date of its record is known by the locator to be less than a full-sized mineral claim shall be recorded without the word "fraction" being added to the name of the claim, and the application being accompanied by an affidavit or solemn declaration made by the applicant or some person on his behalf cognizant of the facts: That the legal posts and notices have been put up; that mineral has been found in place on the fractional claim proposed to be recorded; that the ground applied for is unoccupied by any other person. In the said declaration shall be set out the name of the applicant and the date of the location of the claim. The words written on the posts numbered one and two shall be set out in full, and as accurate a description as possible of the position of the claim given. A sketch plan shall be drawn by the applicant on the back of the declaration, showing as near as may be the position of the adjoining mineral claims and the shape and size, expressed in feet, of the claim or fraction desired to be recorded: *Provided*, That the failure on the part of the locator of a mineral claim to comply with any of the foregoing provisions of this section shall not be deemed to invalidate such location, if upon the facts it shall appear that such locator has actually discovered mineral in place on said location, and that there has been on his part a bona fide attempt to comply with the provisions of this Act, and that the nonobserv-

**Declaration.**

**Description.**

**Sketch plan.**

*Proviso.*  
Innocent non-compliance  
with regulations.

ance of the formalities hereinbefore referred to is not of a character calculated to mislead other persons desiring to locate claims in the vicinity.

SEC. 30. That in cases where, from the nature or shape of the ground, it is impossible to mark the location line of the claim as provided by this Act then the claim may be marked by placing posts as nearly as possible to the location line, and noting the distance and direction such posts may be from such location line, which distance and direction shall be set out in the record of the claim. Difficult demarcations.

SEC. 31. That every person locating a mineral claim shall record the same with the provincial secretary or such other officer as by the government of the Philippine Islands may be described as mining recorder of the district within which the same is situate, within thirty days after the location thereof. Such record shall be made in a book to be kept for the purpose in the office of the said provincial secretary or such other officer as by said government described as mining recorder, in which shall be inserted the name of the claim, the name of each locator, the locality of the mine, the direction of the location line, the length in feet, the date of location, and the date of the record. A claim which shall not have been recorded within the prescribed period shall be deemed to have been abandoned. Recording claims.

SEC. 32. That in case of any dispute as to the location of a mineral claim the title to the claim shall be recognized according to the priority of such location, subject to any question as to the validity of the record itself and subject to the holder having complied with all the terms and conditions of this Act. Disputes.

SEC. 33. That no holder shall be entitled to hold in his, its, or their own name or in the name of any other person, corporation, or association more than one mineral claim on the same vein or lode. Limit.

SEC. 34. That a holder may at any time abandon any mineral claim by giving notice, in writing, of such intention to abandon, to the provincial secretary or such other officer as by the government of the Philippine Islands may be described as mining recorder; and from the date of the record of such notice all his interest in such claim shall cease. Abandonment.

SEC. 35. That proof of citizenship under the clauses of this Act relating to mineral lands may consist, in the case of an individual, of his own affidavit thereof; in the case of an association of persons unincorporated, of the affidavit of their authorized agent, made on his own knowledge or upon information and belief; and in the case of a corporation organized under the laws of the United States, or of any State or Territory thereof, or of the Philippine Islands, by the filing of a certified copy of their charter or certificate of incorporation. Proofs of citizenship

SEC. 36. That the United States Philippine Commission or its successors may make regulations, not in conflict with the provisions of this Act, governing the location, Mining regulations. Requirements.



manner of recording, and amount of work necessary to hold possession of a mining claim, subject to the following requirements:

Assessments.

*Proviso.*  
Relocation on  
non-compliance  
with regula-  
tions.

Delinquent  
part owners.

Assessment  
period.

Patents.

Applications.

Notice.

Publication  
by mining re-  
corder.

On each claim located after the passage of this Act, and until a patent has been issued therefor, not less than one hundred dollars' worth of labor shall be performed or improvements made during each year: *Provided*, That upon a failure to comply with these conditions the claim or mine upon which such failure occurred shall be open to relocation in the same manner as if no location of the same had ever been made, provided that the original locators, their heirs, assigns, or legal representatives have not resumed work upon the claim after failure and before such location. Upon the failure of any one of several coowners to contribute his proportion of the expenditures required thereby, the coowners who have performed the labor or made the improvements may, at the expiration of the year, give such delinquent coowner personal notice in writing, or notice by publication in the newspaper published nearest the claim, and in two newspapers published at Manila, one in the English language and the other in the Spanish language, to be designated by the chief of the Philippine insular bureau of public lands, for at least once a week for ninety days, and if, at the expiration of ninety days after such notice in writing or by publication such delinquent shall fail or refuse to contribute his proportion of the expenditure required by this section his interest in the claim shall become the property of his coowners who have made the required expenditures. The period within which the work required to be done annually on all unpatented mineral claims shall commence on the first day January succeeding the date of location of such claim.

SEC. 37. That a patent for any land claimed and located for valuable mineral deposits may be obtained in the following manner: Any person, association, or corporation authorized to locate a claim under this Act, having claimed and located a piece of land for such purposes, who has or have complied with the terms of this Act, may file in the office of the provincial secretary, or such other officer as by the government of said Islands may be described as mining recorder of the province wherein the land claimed is located, an application for a patent, under oath, showing such compliance, together with a plat and field notes of the claim or claims in common, made by or under the direction of the chief of the Philippine insular bureau of public lands, showing accurately the boundaries of the claim, which shall be distinctly marked by monuments on the ground, and shall post a copy of such plat, together with a notice of such application for a patent, in a conspicuous place on the land embraced in such plat previous to the filing of the application for a patent, and shall file an affidavit of at least two persons that such notice has been duly posted, and shall file a copy of the notice in such office, and shall thereupon be entitled to a patent for the land, in the manner following: The provincial secretary, or such other officer as by the Philippine government may

be described as mining recorder, upon the filing of such application, plat, field notes, notices, and affidavits, shall publish a notice that such an application has been made, once a week for the period of sixty days, in a newspaper to be by him designated as nearest to such claim and in two newspapers published at Manila, one in the English language and one in the Spanish language, to be designated by the chief of the Philippine insular bureau of public lands; and he shall also post such notice in his office for the same period. The claimant at the time of filing this application, or at any time thereafter within the sixty days of publication, shall file with the provincial secretary or such other officer as by the Philippine government may be described as mining recorder a certificate of the chief of the Philippine insular bureau of public lands that five hundred dollars' worth of labor has been expended or improvements made upon the claim by himself or grantors; that the plat is correct, with such further description by such reference to natural objects or permanent monuments as shall identify the claim, and furnish an accurate description to be incorporated in the patent. At the expiration of the sixty days of publication the claimant shall file his affidavit, showing that the plat and notice have been posted in a conspicuous place on the claim during such period of publication. If no adverse claim shall have been filed with the provincial secretary or such other officer as by the government of said islands may be described as mining recorder at the expiration of the sixty days of publication, it shall be assumed that the applicant is entitled to a patent upon the payment to the provincial treasurer or the collector of internal revenue of five dollars per acre and that no adverse claim exists, and thereafter no objection from third parties to the issuance of a patent shall be heard, except it be shown that the applicant has failed to comply with the terms of this Act: *Provided*, That where the claimant for a patent is not a resident of or within the province wherein the land containing the vein, ledge, or deposit sought to be patented is located, the application for patent and the affidavits required to be made in this section by the claimant for such patent may be made by his, her, or its authorized agent where said agent is conversant with the facts sought to be established by said affidavits.

Filing of affidavit, etc.

Issue of patent in noncontested claims.

*Proviso.*  
Non-residents.

SEC. 38. That applicants for mineral patents, if residing beyond the limits of the province or military department wherein the claim is situated, may make the oath or affidavit required for proof of citizenship before the clerk of any court of record, or before any notary public of any province of the Philippine Islands, or any other official in said islands authorized by law to administer oaths.

Oath, etc., of non-resident applicants.

SEC. 39. That where an adverse claim is filed during the period of publication it shall be upon oath of the person or persons making the same, and shall show the nature, boundaries, and extent of such adverse claim, and all proceedings, except the publication of notice and making and filing of the affidavits thereof, shall be stayed until the con-

Adverse claims.

Proceedings by adverse claimants. shall be the duty of the adverse claimant, within thirty days after filing his claim, to commence proceedings in a court of competent jurisdiction to determine the question of the right of possession, and prosecute the same with reasonable diligence to final judgment, and a failure so to do shall be a waiver of his adverse claim. After such judgment shall have been rendered the party entitled to the possession of the claim, or any portion thereof, may, without giving further notice, file a certified copy of the judgment roll with the provincial secretary or such other officer as by the government of the Philippine Islands may be described as mining recorder, together with the certificate of the chief of the Philippine insular bureau of public lands that the requisite amount of labor has been expended or improvements made thereon, and the description required in other cases, and shall pay to the provincial treasurer or the collector of internal revenue of the province in which the claim is situated, as the case may be, five dollars per acre for his claim, together with the proper fees, whereupon the whole proceedings and the judgment roll shall be certified by the provincial secretary or such other officer as by said government may be described as mining recorder to the secretary of the interior of the Philippine Islands, and a patent shall issue thereon for the claim, or such portion thereof as the applicant shall appear, from the decision of the court, rightly to possess. The adverse claim may be verified by the oath of any duly authorized agent or attorney in fact of the adverse claimant cognizant of the facts stated; and the adverse claimant, if residing or at the time being beyond the limits of the province wherein the claim is situated, may make oath to the adverse claim before the clerk of any court of record, or any notary public of any province or military department of the Philippine Islands, or any other officer authorized to administer oaths where the adverse claimant may then be. If it appears from the decision of the court that several parties are entitled to separate and different portions of the claim, each party may pay for his portion of the claim, with the proper fees, and file the certificate and description by the chief of the Philippine insular bureau of public lands, whereupon the provincial secretary or such other officer as by the government of said islands may be described as mining recorder shall certify the proceedings and judgment roll to the secretary of the interior for the Philippine Islands, as in the preceding case, and patents shall issue to the several parties according to their respective rights. If in any action brought pursuant to this section title to the ground in controversy shall not be established by either party, the court shall so find, and judgment shall be entered accordingly. In such case costs shall not be allowed to either party, and the claimant shall not proceed in the office of the provincial secretary or such other officer as by the government of said islands may be described as

Certified copy of judgment.

Payment.

Issuance of patent.

Oaths.

Interests of several persons in one claim.

Title.

mining recorder or be entitled to a patent for the ground in controversy until he shall have perfected his title. Nothing herein contained shall be construed to prevent the alienation of a title conveyed by a patent for a mining claim to any person whatever.

Alienation of title.

SEC. 40. That the description of mineral claims upon surveyed lands shall designate the location of the claim with reference to the lines of the public surveys, but need not conform therewith; but where a patent shall be issued for claims upon unsurveyed lands the chief of the Philippine insular bureau of public lands in extending the surveys shall adjust the same to the boundaries of such patented claim according to the plat or description thereof, but so as in no case to interfere with or change the location of any such patented claim.

Claims upon surveyed lands.

On unsurveyed lands.

SEC. 41. That any person authorized to enter lands under this Act may enter and obtain patent to lands that are chiefly valuable for building stone under the provisions of this Act relative to placer mineral claims.

Buildingstone entries.

SEC. 42. That any person authorized to enter lands under this Act may enter and obtain patent to lands containing petroleum or other mineral oils and chiefly valuable therefor under the provisions of this Act relative to placer mineral claims.

Petroleum, etc., entries.

SEC. 43. That no location of a placer claim shall exceed sixty-four hectares for any association of persons, irrespective of the number of persons composing such association, and no such location shall include more than eight hectares for an individual claimant. Such locations shall conform to the laws of the United States Philippine Commission, or its successors, with reference to public surveys, and nothing in this section contained shall defeat or impair any bona fide ownership of land for agricultural purposes or authorize the sale of the improvements of any bona fide settler to any purchaser.

Placer claims. Limit.

SEC. 44. That where placer claims are located upon surveyed lands and conform to legal subdivisions, no further survey or plat shall be required, and all placer mining claims located after the date of passage of this Act shall conform as nearly as practicable to the Philippine system of public-land surveys and the regular subdivisions of such surveys; but where placer claims can not be conformed to legal subdivisions, survey and plat shall be made as on unsurveyed lands; and where by the segregation of mineral lands in any legal subdivision a quantity of agricultural land less than sixteen hectares shall remain, such fractional portion of agricultural land may be entered by any party qualified by law for homestead purposes.

On surveyed land.

SEC. 45. That where such person or association, they and their grantors have held and worked their claims for a period equal to the time prescribed by the statute of limitations of the Philippine Islands, evidence of such possession and working of the claims for such period shall be sufficient to establish a right to a patent thereto under this Act, in the absence of any adverse claim; but nothing in this act shall be deemed to impair any lien which

Establishment of right to patent.

Prior liens not affected. may have attached in any way whatever prior to the issuance of a patent.

Appointment of deputy surveyors. Expenses. Charges for surveys. SEC. 46. That the chief of the Philippine insular bureau of public lands may appoint competent deputy mineral surveyors to survey mining claims. The expenses of the survey of vein or lode claims and of the survey of placer claims, together with the cost of publication of notices, shall be paid by the applicants, and they shall be at liberty to obtain the same at the most reasonable rates, and they shall also be at liberty to employ any such deputy mineral surveyor to make the survey. The chief of the Philippine insular bureau of public lands shall also have power to establish the maximum charges for surveys and publication of notices under this Act; and in case of excessive charges for publication he may designate any newspaper published in a province where mines are situated, or in Manila, for the publication of mining notices and fix the rates to be charged by such paper; and to the end that the chief of the bureau of public lands may be fully informed on the subject such applicant shall file with the provincial secretary, or such other officer as by the government of the Philippine Islands may be described as mining recorder, a sworn statement of all charges and fees paid by such applicant for publication and surveys, and of all fees and money paid the provincial treasurer or the collector of internal revenue, as the case may be, which statement shall be transmitted, with the other papers in the case, to the secretary of the interior for the Philippine Islands.

Verification of affidavits. SEC. 47. That all affidavits required to be made under this Act may be verified before any officer authorized to administer oaths within the province or military department where the claims may be situated, and all testimony and proofs may be taken before any such officer, and, when duly certified by the officer taking the same, shall have the same force and effect as if taken before the proper provincial secretary or such other officer as by the government of the Philippine Islands may be described as mining recorder. In cases of contest as to the mineral or agricultural character of land the testimony and proofs may be taken as herein provided on personal notice of at least ten days to the opposing party; or if such party can not be found, then by publication at least once a week for thirty days in a newspaper to be designated by the provincial secretary or such other officer as by said government may be described as mining recorder published nearest to the location of such land and in two newspapers published in Manila, one in the English language and one in the Spanish language, to be designated by the chief of the Philippine insular bureau of public lands; and the provincial secretary or such other officer as by said government may be described as mining recorder shall require proofs that such notice has been given.

Patents of nonmineral lands, etc., for milling, etc. SEC. 48. That where nonmineral land not contiguous to the vein or lode is used or occupied by the proprietor of such vein or lode for mining or milling purposes, such



nonadjacent surface ground may be embraced and included in an application for a patent for such vein or lode, and the same may be patented therewith, subject to the same preliminary requirements as to survey and notice as are applicable to veins or lodes; but no location of such nonadjacent land shall exceed two hectares, and payment for the same must be made at the same rate as fixed by this Act for the superficies of the lode. The owner of a quartz mill or reduction works not owning a mine in connection therewith may also receive a patent for his mill site as provided in this section. Mill site patents.

SEC. 49. That as a condition of sale the Government of the Philippine Islands may provide rules for working, policing, and sanitation of mines, and rules concerning easements, drainage, water rights, right of way, right of Government survey and inspection, and other necessary means to their complete development not inconsistent with the provisions of this Act, and those conditions shall be fully expressed in the patent. The Philippine Commission or its successors are hereby further empowered to fix the bonds of deputy mineral surveyors. Rules for mines, etc.  
Bonds of deputy mineral surveyors.

SEC. 50. That whenever by priority of possession rights to the use of water for mining, agricultural, manufacturing, or other purposes have vested and accrued and the same are recognized and acknowledged by the local customs, laws, and the decisions of courts, the possessors and owners of such vested rights shall be maintained and protected in the same, and the right of way for the construction of ditches and canals for the purposes herein specified is acknowledged and confirmed, but whenever any person, in the construction of any ditch or canal, injures or damages the possession of any settler on the public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage. Protection to vested water rights.  
Damages.

SEC. 51. That all patents granted shall be subject to any vested and accrued water rights, or rights to ditches and reservoirs used in connection with such water rights as may have been acquired under or recognized by the preceding section. All patents subject to vested water rights, etc.

SEC. 52. That the Government of the Philippine Islands is authorized to establish land districts and provide for the appointment of the necessary officers wherever they may deem the same necessary for the public convenience, and to further provide that in districts where land offices are established proceedings required by this Act to be had before provincial officers shall be had before the proper officers of such land offices. Establishment of land districts, etc.

SEC. 53. That every person above the age of twenty-one years, who is a citizen of the United States, or of the Philippine Islands, or who has acquired the rights of a native of said islands under and by virtue of the treaty of Paris, or any association of persons severally qualified as above, shall, upon application to the proper provincial treasurer, have the right to enter any quality of vacant coal lands of said Islands not otherwise appropriated or reserved by competent authority, not exceeding sixty-four hectares to Coal-land entries.  
Limit.

such individual person, or one hundred and twenty-eight hectares to such association, upon payment to the provincial treasurer or the collector of internal revenue, as the case may be, of not less than twenty-five dollars per hectare for such lands, where the same shall be situated more than fifteen miles from any completed railroad or available harbor or navigable stream, and not less than fifty dollars per hectare for such lands as shall be within fifteen miles of such road, harbor, or stream: *Provided*, That such entries shall be taken in squares of sixteen or sixty-four hectares, in conformity with the rules and regulations governing the public-land surveys of the said Islands in plotting legal subdivisions.

Minimum price.

*Proviso.*  
Entries.

Preference right of entry.

SEC. 54. That any person or association of persons, severally qualified as above provided, who have opened and improved, or shall hereafter open and improve, any coal mine or mines upon the public lands, and shall be in actual possession of the same, shall be entitled to a preference right of entry under the preceding section of the mines so opened and improved.

Declaratory statement.

SEC. 55. That all claims under the preceding section must be presented to the proper provincial secretary within sixty days after the date of actual possession and the commencement of improvements on the land by the filing of a declaratory statement therefor; and where the improvements shall have been made prior to the expiration of three months from the date of the passage of this Act, sixty days from the expiration of such three months shall be allowed for the filing of a declaratory statement; and no sale under the provisions of this Act shall be allowed until the expiration of six months from the date of the passage of this Act.

Limit to entries.

SEC. 56. That the three preceding sections shall be held to authorize only one entry by the same person or association of persons; and no association of persons, any member of which shall have taken the benefit of such sections, either as an individual or as a member of any other association, shall enter or hold any other lands under the provisions thereof; and no member of any association which shall have taken the benefit of such section shall enter or hold any other lands under their provisions; and all persons claiming under section fifty-eight shall be required to prove their respective rights and to pay for the lands filed upon within one year from the time prescribed for filing their respective claims; and upon failure to file the proper notice or to pay for the land within the required period, the same shall be subject to entry by any other qualified applicant.

Saline lands.  
*Infra.*

Conflicting claims.

SEC. 57. That in case of conflicting claims upon coal lands where the improvements shall be commenced after the date of the passage of this Act, priority of possession and improvement, followed by proper filing and continued good faith, shall determine the preference right to purchase. And also where improvements have already been made prior to the passage of this Act, division of the land claimed may be made by legal subdivisions, which shall

conform as nearly as practicable with the subdivisions of land provided for in this Act, to include as near as may be the valuable improvements of the respective parties. The Government of the Philippine Islands is authorized to issue all needful rules and regulations for carrying into effect the provisions of this and preceding sections relating to mineral lands.

SEC. 58. That whenever it shall be made to appear to the secretary of any province or the commander of any military department in the Philippine Islands that any lands within the province are saline in character, it shall be the duty of said provincial secretary or commander, under the regulations of the Government of the Philippine Islands, to take testimony in reference to such lands, to ascertain their true character, and to report the same to the secretary of the interior for the Philippine Islands; and if, upon such testimony, the secretary of the interior shall find that such lands are saline and incapable of being purchased under any of the laws relative to the public domain, then and in such case said lands shall be offered for sale at the office of the provincial secretary or such other officer as by the said government may be described as mining recorder of the province or department in which the same shall be situated, as the case may be, under such regulations as may be prescribed by said Government and sold to the highest bidder, for cash, at a price of not less than three dollars per hectare; and in case such lands fail to sell when so offered, then the same shall be subject to private sale at such office, for cash, at a price not less than three dollars per hectare, in the same manner as other lands in the said Islands are sold. All executive proclamations relating to the sales of public saline lands shall be published in only two newspapers, one printed in the English language and one in the Spanish language, at Manila, which shall be designated by said secretary of the interior.

Saline lands.

Auction sales.

Private sales.

Proclamations of sales.

SEC. 59. That no Act granting lands to provinces, districts, or municipalities to aid in the construction of roads, or for other public purposes, shall be so construed as to embrace mineral lands, which, in all cases, are reserved exclusively, unless otherwise specially provided in the Act or Acts making the grant.

Mineral lands reserved from grants for public works.

SEC. 60. That nothing in this Act shall be construed to affect the rights of any person, partnership, or corporation having a valid, perfected mining concession granted prior to April eleventh, eighteen hundred and ninety-nine, but all such concessions shall be conducted under the provisions of the law in force at the time they were granted, subject at all times to cancellation by reason of illegality in the procedure by which they were obtained, or for failure to comply with the conditions prescribed as requisite to their retention in the laws under which they were granted: *Provided*, That the owner or owners of every such concession shall cause the corners made by its boundaries to be distinctly marked with permanent monuments within six months after this Act has been promulgated in

Prior mining concessions not affected.

Proviso. Marking boundary lines.



the Philippine Islands, and that any concessions the boundaries of which are not so marked within this period shall be free and open to explorations and purchase under the provisions of this Act.

Future mining rights.

SEC. 61. That mining rights on public lands in the Philippine Islands shall, after the passage of this Act, be acquired only in accordance with its provisions.

Cancellation of perfected Spanish concessions. Proceedings.

SEC. 62. That all proceedings for the cancellation of perfected Spanish concessions shall be conducted in the courts of the Philippine Islands having jurisdiction of the subject-matter and of the parties, unless the United States Philippine Commission, or its successors, shall create special tribunals for the determination of such controversies.

Acquiring lands from religious orders, etc.

AUTHORITY FOR THE PHILIPPINE ISLANDS GOVERNMENT TO PURCHASE LANDS OF RELIGIOUS ORDERS AND OTHERS AND ISSUE BONDS FOR PURCHASE PRICE.

Authority conferred to acquire, etc., real and personal property.

SEC. 63. That the government of the Philippine Islands is hereby authorized, subject to the limitations and conditions prescribed in this Act, to acquire, receive, hold, maintain, and convey title to real and personal property, and may acquire real estate for public uses by the exercise of the right of eminent domain.

Acquisition of property of religious orders, etc.

SEC. 64. That the powers hereinbefore conferred in section sixty-three may also be exercised in respect of any lands, easements, appurtenances, and hereditaments which, on the thirteenth of August, eighteen hundred and ninety-eight, were owned or held by associations, corporations, communities, religious orders, or private individuals in such large tracts or parcels and in such manner as in the opinion of the Commission injuriously to affect the peace and welfare of the people of the Philippine Islands.

Issue of bonds authorized.

And for the purpose of providing funds to acquire the lands mentioned in this section said government of the Philippine Islands is hereby empowered to incur indebtedness, to borrow money, and to issue, and to sell at not less than par value, in gold coin of the United States of the present standard value or the equivalent in value in money of said Islands, upon such terms and conditions as it may deem best, registered or coupon bonds of said government for such amount as may be necessary, said bonds to be in denominations of fifty dollars or any multiple thereof, bearing interest at a rate not exceeding four and a half per centum per annum, payable quarterly, and to be payable at the pleasure of said government after dates named in said bonds not less than five nor more than thirty years from the date of their issue, together with interest thereon, in gold coin of the United States of the present standard value or the equivalent in value in money of said Islands; and said bonds shall be exempt from the payment of all taxes or duties of said government, or any local authority therein, or of the Government of the United States, as well as from taxation in any form by or under State, municipal, or local authority in the United States or the Philippine Islands. The moneys which may be realized or received from the

Denomination. Interest.

Exempt from taxes, etc.

issue and sale of said bonds shall be applied by the government of the Philippine Islands to the acquisition of the property authorized by this section, and to no other purposes.

SEC. 65. That all lands acquired by virtue of the preceding section shall constitute a part and portion of the public property of the government of the Philippine Islands, and may be held, sold, and conveyed, or leased temporarily for a period not exceeding three years after their acquisition by said government on such terms and conditions as it may prescribe, subject to the limitations and conditions provided for in this Act: *Provided*, That all deferred payments and the interest thereon shall be payable in the money prescribed for the payment of principal and interest of the bonds authorized to be issued in payment of said lands by the preceding section and said deferred payments shall bear interest at the rate borne by the bonds. All moneys realized or received from sales or other disposition of said lands or by reason thereof shall constitute a trust fund for the payment of principal and interest of said bonds, and also constitute a sinking fund for the payment of said bonds at their maturity. Actual settlers and occupants at the time said lands are acquired by the government shall have the preference over all others to lease, purchase, or acquire their holdings within such reasonable time as may be determined by said government.

Disposition of property acquired.

Proviso. Deferred payments, etc.

Use of proceeds.

Preference rights of settlers, etc.

#### MUNICIPAL BONDS FOR PUBLIC IMPROVEMENTS.

SEC. 66. That for the purpose of providing funds to construct sewers, to furnish adequate sewer and drainage facilities, to secure a sufficient supply of water, and to provide all kinds of municipal betterments and improvements in municipalities, the government of the Philippine Islands, under such limitations, terms, and conditions as it may prescribe, with the consent and approval of the President and the Congress of the United States, may permit any municipality of said islands to incur indebtedness, borrow money, and to issue and sell (at not less than par value in gold coin of the United States) registered or coupon bonds in such amount and payable at such time as may be determined by the government of said islands, with interest thereon not to exceed five per centum per annum: *Provided*, That the entire indebtedness of any municipality under this section shall not exceed five per centum of the assessed valuation of the property in said municipality, and any obligation in excess of such limit shall be null and void.

Proviso. Limit of indebtedness.

SEC. 67. That all municipal bonds shall be in denominations of fifty dollars, or any multiple thereof, bearing interest at a rate not exceeding five per centum per annum, payable quarterly, such bonds to be payable at the pleasure of the government of the Philippine Islands, after dates named in said bonds not less than five nor more than thirty years from the date of their issue, together with the

Denomination of bonds. Interest.

**Exempt from taxes, etc.** interest thereon, in gold coin of the United States of the present standard value, or its equivalent in value in money of the said Islands; and said bonds shall be exempt from the payment of all taxes or duties of the government of the Philippine Islands, or any local authority therein, or the Government of the United States.

**Use of funds received from sale of bonds.** SEC. 68. That all moneys which may be realized or received from the issue and sale of said bonds shall be utilized under authorization of the government of the Philippine Islands in providing the municipal improvements and betterment which induced the issue and sale of said bonds, and for no other purpose.

**Municipal taxes to pay bond obligations.** SEC. 69. That the government of the Philippine Islands shall, by the levy and collection of taxes on the municipality, its inhabitants and their property, or by other means, make adequate provision to meet the obligation of the bonds of such municipality, and shall create a sinking fund sufficient to retire them and pay the interest thereon in accordance with the terms of issue: *Provided*, That if said bonds or any portion thereof shall be paid out of the funds of the government of said islands, such municipality shall reimburse said government for the sum thus paid, and said government is hereby empowered to collect said sum by the levy and collection of taxes on such municipality.

**Proviso. Reimbursement.**

**Manila. Issue of bonds for sewers, water supply, etc.** SEC. 70. That for the purpose of providing funds to construct sewers in the city of Manila and to furnish it with an adequate sewer and drainage system and supply of water the government of the Philippine Islands, with the approval of the President of the United States first had, is hereby authorized to permit the city of Manila to incur indebtedness, to borrow money, and to issue and sell (at not less than par value in gold coin of the United States), upon such terms and conditions as it may deem best, registered or coupon bonds of the city of Manila to an amount not exceeding four million dollars lawful money of the United States, payable at such time or times as may be determined by said government, with interest thereon not to exceed five per centum per annum.

**Limit.**

**Denominations of bonds. Interest.** SEC. 71. That said coupon or registered bonds shall be in denominations of fifty dollars or any multiple thereof, bearing interest at a rate not exceeding five per centum per annum, payable quarterly, such bonds to be payable at the pleasure of the government of the Philippine Islands, after dates named in said bonds not less than five nor more than thirty years from the date of their issue, together with the interest thereon in gold coin of the United States of the present standard value, or the equivalent in value in money of the said Islands; and said bonds shall be exempt from the payment of all taxes or duties of the government of the said Islands, or of any local authority therein, or of the Government of the United States.

**Exempt from taxes, etc.**

**Use of funds.** SEC. 72. That all moneys which may be realized or received from the issue and sale of said bonds shall be utilized under authorization of said government of the Philippine Islands in providing a suitable sewer and drainage system and adequate supply of water for the city of Manila and for no other purpose.

SEC. 73. That the government of the Philippine Islands shall, by the levy and collection of taxes on the city of Manila, its inhabitants and their property, or by other means, make adequate provision to meet the obligation of said bonds and shall create a sinking fund sufficient to retire them and pay the interest thereon in accordance with the terms of issue: *Provided*, That if said bonds or any portion thereof shall be paid out of the funds of the government of said islands, said city shall reimburse said government for the sum thus paid, and said government is hereby empowered to collect said sum by the levy and collection of taxes on said city.

Taxes to meet  
bond obliga-  
tions.

*Proviso.*  
Reimburse-  
ment.

#### FRANCHISES.

SEC. 74. That the government of the Philippine Islands may grant franchises, privileges, and concessions, including the authority to exercise the right of eminent domain for the construction and operation of works of public utility and service, and may authorize said works to be constructed and maintained over and across the public property of the United States, including streets, highways, squares, and reservations, and over similar property of the government of said Islands, and may adopt rules and regulations under which the provincial and municipal governments of the islands may grant the right to use and occupy such public property belonging to said provinces or municipalities: *Provided*, That no private property shall be taken for any purpose under this section without just compensation paid or tendered therefor, and that such authority to take and occupy land shall not authorize the taking, use, or occupation of any land except such as is required for the actual necessary purposes for which the franchise is granted, and that no franchise, privilege, or concession shall be granted to any corporation except under the conditions that it shall be subject to amendment, alteration, or repeal by the Congress of the United States, and that lands or rights of use and occupation of lands thus granted shall revert to the governments by which they were respectively granted upon the termination of the franchises and concessions under which they were granted or upon their revocation or repeal. That all franchises, privileges, or concessions granted under this Act shall forbid the issue of stock or bonds except in exchange for actual cash, or for property at a fair valuation, equal to the par value of the stock or bonds so issued; shall forbid the declaring of stock or bond dividends, and, in the case of public-service corporations, shall provide for the effective regulation of the charges thereof, for the official inspection and regulation of the books and accounts of such corporations, and for the payment of a reasonable percentage of gross earnings into the treasury of the Philippine Islands or of the province or municipality within which such franchises are granted and exercised: *Provided further*, That it shall be unlawful for any corporation organized under this Act, or for any person, company, or corporation receiving any

Government  
authorized to  
grant.

*Proviso.*  
Private prop-  
erty, etc.

Franchises  
subject to  
amendment,  
etc., by Con-  
gress.

Issuance of  
stock, etc., re-  
stricted.

Dividends.

Inspection of  
books, etc.

*Proviso.*  
Slave labor  
prohibited.

Penalty.

grant, franchise, or concession from the government of said Islands, to use, employ, or contract for the labor of persons claimed or alleged to be held in involuntary servitude; and any person, company, or corporation so violating the provisions of this Act shall forfeit all charters, grants, franchises, and concessions for doing business in said Islands, and in addition shall be deemed guilty of an offense, and shall be punished by a fine of not less than ten thousand dollars.

Real estate holdings of corporations.

Maximum.

Loans.

SEC. 75. That no corporation shall be authorized to conduct the business of buying and selling real estate or be permitted to hold or own real estate except such as may be reasonably necessary to enable it to carry out the purposes for which it is created, and every corporation authorized to engage in agriculture shall by its charter be restricted to the ownership and control of not to exceed one thousand and twenty-four hectares of land; and it shall be unlawful for any member of a corporation engaged in agriculture or mining and for any corporation organized for any purpose except irrigation to be in any wise interested in any other corporation engaged in agriculture or in mining. Corporations, however, may loan funds upon real-estate security and purchase real estate when necessary for the collection of loans, but they shall dispose of real estate so obtained within five years after receiving the title. Corporations not organized in the Philippine Islands, and doing business therein, shall be bound by the provisions of this section so far as they are applicable.

## COINAGE.

Establishment of a mint at Manila authorized.

Proviso. United States laws applicable.

Coinage of subsidiary silver coins.

Purchase of bullion.

SEC. 76. That the government of the Philippine Islands is hereby authorized to establish a mint at the city of Manila, in said islands, for coinage purposes, and the coins hereinafter authorized may be coined at said mint. And the said government is hereby authorized to enact laws necessary for such establishment: *Provided*, That the laws of the United States relating to mints and coinage, so far as applicable, are hereby extended to the coinage of said islands.

SEC. 77. That the government of the Philippine Islands is authorized to coin, for use in said islands, a coin of the denomination of fifty centavos and of the weight of one hundred and ninety-two and nine-tenth grains, a coin of the denomination of twenty centavos and of the weight of seventy-seven and sixteen one-hundredths grains, and a coin of the denomination of ten centavos and of the weight of thirty-eight and fifty-eight one-hundredths grains, and the standard of said silver coins shall be such that of one thousand parts by weight nine hundred shall be of pure metal and one hundred of alloy, and the alloy shall be of copper.

SEC. 78. That the subsidiary silver coins authorized by the preceding section shall be coined under the authority of the government of the Philippine Islands in such amounts as it may determine, with the approval of the Secretary of



War of the United States, from silver bullion purchased by said government, with the approval of the Secretary of War of the United States: *Provided*, That said government may in addition and in its discretion recoin the Spanish Filipino dollars and subsidiary silver coins issued under the authority of the Spanish Government for use in said islands into the subsidiary coins provided for in the preceding section at such rate and under such regulations as it may prescribe, and the subsidiary silver coins authorized by this section shall be legal tender in said islands to the amount of ten dollars.

*Proviso.*  
Recoining  
Spanish Filipino  
dollars, etc.

SEC. 79. That the government of the Philippine Islands is also authorized to issue minor coins of the denominations of one-half centavo, one centavo, and five centavos, and such minor coins shall be legal tender in said islands for amounts not exceeding one dollar. The alloy of the five-centavo piece shall be of copper and nickel, to be composed of three-fourths copper and one-fourth nickel. The alloy of the one-centavo and one-half-centavo pieces shall be ninety-five per centum of copper and five per centum of tin and zinc, in such proportions as shall be determined by said government. The weight of the five-centavo piece shall be seventy-seven and sixteen-hundredths grains troy, and of the one-centavo piece eighty grains troy, and of the one-half-centavo piece forty grains troy.

Minor coins.

Alloy.

Weight.

SEC. 80. That for the purchase of metal for the subsidiary and minor coinage, authorized by the preceding sections, an appropriation may be made by the government of the Philippine Islands from its current funds, which shall be reimbursed from the coinage under said sections; and the gain or seigniorage arising therefrom shall be paid into the treasury of said Islands.

Purchase of  
metal.

SEC. 81. That the subsidiary and minor coinage hereinbefore authorized may be coined at the mint of the government of the Philippine Islands at Manila, or arrangements may be made by the said government with the Secretary of the Treasury of the United States for their coinage at any of the mints of the United States, at a charge covering the reasonable cost of the work.

Place of coin-  
age optional.

SEC. 82. That the subsidiary and minor coinage hereinbefore authorized shall bear devices and inscriptions to be prescribed by the government of the Philippine Islands and such devices and inscriptions shall express the sovereignty of the United States, that it is a coin of the Philippine Islands, the denomination of the coin, and the year of the coinage.

Devices and  
inscriptions.

SEC. 83. That the government of the Philippine Islands shall have the power to make all necessary appropriations and all proper regulations for the redemption and reissue of worn or defective coins and for carrying out all other provisions of this Act relating to coinage.

Redemption  
and reissue of  
defective coins,  
etc.

SEC. 84. That the laws relating to entry, clearance, and manifests of steamships and other vessels arriving from or going to foreign ports shall apply to voyages each way between the Philippine Islands and the United States and the possessions thereof, and all laws relating to the

United States  
shipping, cus-  
toms, etc., laws  
made applica-  
ble.

Customs duties. collection and protection of customs duties not inconsistent with the Act of Congress of March eighth, nineteen hundred and two, "temporarily to provide revenue for the Philippine Islands," shall apply in the case of vessels and goods arriving from said Islands in the United States and its aforesaid possessions.

Seamen on foreign voyages. Customs officers substituted for consular officers. The laws relating to seamen on foreign voyages shall apply to seamen on vessels going from the United States and its possessions aforesaid to said Islands, the customs officers there being for this purpose substituted for consular officers in foreign ports.

Transportation of passengers and merchandise. Log book entries. R.S., secs. 4252-4262, pp. 820-828. The provisions of chapters six and seven, title forty-eight, Revised Statutes, so far as now in force, and any amendments thereof, shall apply to vessels making voyages either way between ports of the United States or its aforesaid possessions and ports in said Islands; and the provisions of law relating to the public health and quarantine shall apply in the case of all vessels entering a port of the United States or its aforesaid possessions from said Islands, where the customs officers at the port of departure shall perform the duties required by such law of consular officers in foreign ports.

Transit of merchandise. R. S., sec. 3005, p. 579. Section three thousand and five, Revised Statutes, as amended, and other existing laws concerning the transit of merchandise through the United States, shall apply to merchandise arriving at any port of the United States destined for any of its insular and continental possessions, or destined from any of them to foreign countries.

Former laws continued. Nothing in this Act shall be held to repeal or alter any part of the Act of March eighth, nineteen hundred and two, aforesaid, or to apply to Guam, Tutuila, or Manua,

Equivalent rates of money. except that section eight of an Act entitled "An Act to revise and amend the tariff laws of the Philippine Archipelago," enacted by the Philippine Commission on the seventeenth of September, nineteen hundred and one, and approved by an Act entitled "An Act temporarily to provide revenues for the Philippine Islands, and for other purposes," approved March eighth, nineteen hundred and two, is hereby amended so as to authorize the Civil Governor thereof in his discretion to establish the equivalent rates of the money in circulation in said Islands with the money of the United States as often as once in ten days.

Depositories of public money. SEC. 85. That the treasury of the Philippine Islands and such banking associations in said islands with a paid up capital of not less than two million dollars and chartered by the United States or any State thereof as may be designated by the Secretary of War and the Secretary of the Treasury of the United States shall be depositories of public money of the United States, subject to the provisions of existing law governing such depositories in the United States: *Provided*, That the treasury of the government of said islands shall not be required to deposit bonds in the Treasury of the United States, or to give other specific securities for the safe-keeping of public money except as prescribed, in his discretion, by the Secretary of War.

*Proviso.*  
Deposit of bonds, etc., not required.

SEC. 86. That all laws passed by the government of the Philippine Islands shall be reported to Congress, which hereby reserves the power and authority to annul the same, and the Philippine Commission is hereby directed to make annual report of all its receipts and expenditures to the Secretary of War.

Right to annul all laws reserved by Congress.

BUREAU OF INSULAR AFFAIRS.

SEC. 87. That the Division of Insular Affairs of the War Department, organized by the Secretary of War, is hereby continued until otherwise provided, and shall hereafter be known as the Bureau of Insular Affairs of the War Department. The business assigned to said Bureau shall embrace all matters pertaining to civil government in the island possessions of the United States subject to the jurisdiction of the War Department; and the Secretary of War is hereby authorized to detail an officer of the Army whom he may consider especially well qualified, to act under the authority of the Secretary of War as the chief of said Bureau; and said officer while acting under said detail shall have the rank, pay, and allowances of a colonel.

Business subject to jurisdiction of War Department.

Chief of Bureau.

Rank.

SEC. 88. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Repeal.

*Fifty-seventh Congress, second session.*

CHAP. 834.—An Act To promote the efficiency of the Philippine constabulary, to establish the rank and pay of its commanding officers, and for other purposes.

January 30, 1903.  
[Public, No. 87.]  
32 Stats. L., pt. 1, p. 783.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That officers of the Army of the United States may be detailed for service as chief and assistant chiefs, the said assistant chiefs not to exceed in number four, of the Philippine constabulary, and that during the continuance of such details the officer serving as chief shall have the rank, pay, and allowances of brigadier-general, and the officers serving as assistant chiefs shall have the rank, pay, and allowances of colonel: *Provided*, That the difference between the pay and allowances of brigadier-general and colonel, as herein provided, and the pay and allowances of the officers so detailed in the grades from which they are detailed shall be paid out of the Philippine treasury.

Philippine constabulary.  
Detail of Army officers for.

Rank, etc.

Proviso.  
Philippine treasury to pay difference in allowance, etc.

SEC. 2. That any companies of Philippine scouts ordered to assist the Philippine constabulary in the maintenance of order in the Philippine Islands may be placed under the command of officers serving as chief or assistant chiefs of the Philippine constabulary, as herein provided: *Provided*, That when the Philippine scouts shall be ordered to assist the Philippine constabulary, said scouts shall not at any time be placed under the command of inspectors or other officers of the constabulary below the grade of assistant chief of constabulary.

Assistance of Philippine scouts.

Proviso.  
Rank of commanding officers.



February 7, 1903. **CHAP. 515.**—An Act For the relief of the officers and crew of the United States steamer Charleston, lost in the Philippine Islands November second, eighteen hundred and ninety-nine.  
[Public. No. 61.]  
[82 Stats. L., pt. 1, p. 804.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That*  
to reimburse the officers and crew of the United States steamship Charleston, destroyed on a coral reef off Camiguin Island, in the Philippines, November second, eighteen hundred and ninety-nine, for losses incurred by them, respectively, in the destruction of said vessel, there shall be paid to each of said officers and crew or to the personal representatives of any which may be deceased, out of any money in the Treasury of the United States not otherwise appropriated, a sum equal to the losses so sustained by them: *Provided*, That the accounting officers of the Treasury shall in all cases require a schedule and certificate from each person making a claim under this Act, such schedule to be approved by the Secretary of the Navy, who may require other satisfactory proof of said losses, and reimbursements shall be made for such losses as are of a character and value suitable and appropriate to the rank, rating, or duty of the person suffering such loss: *Provided, however*, That in no case shall the aggregate sum allowed any claimant or person for such loss exceed the value of such articles of personal property as were required by the United States Naval Regulations in force at the time of such loss, and there shall be deducted therefrom any sum heretofore paid any of them under section two hundred and ninety of the Revised Statutes.

*Provisos.*  
Proof of losses.

Payments restricted.

R. S., sec. 290, p. 48.  
Full satisfaction of all claims.

Time limit for presenting of claims.

Deductions of prior payments.  
R. S., secs. 288, 289, 290, p. 48.

**SEC. 2.** That the relief granted by the provisions of this Act shall be in full satisfaction of any and all claims whatever against the United States on account of losses by the destruction of the United States steamship Charleston, and any claim which shall be presented and acted upon under the authority of this Act shall be held to be finally determined, and shall not in any manner thereafter be reopened, reconsidered, supplemented, nor be subject to appeal in any form.

**SEC. 3.** That no claim for losses by reason of the destruction of said vessel not heretofore presented shall be allowed under the provisions of this Act which shall not be presented within two years after the date of its passage.

**SEC. 4.** That any amounts that have been paid under sections two hundred and eighty-eight, two hundred and eighty-nine, and two hundred and ninety of the Revised Statutes shall be deducted in the settlement of all claims under this Act.

February 9, 1903. **CHAP. 529.**—An Act To provide for the removal of persons accused of crime to and from the Philippine Islands for trial.  
[Public. No. 72.]  
[82 Stats. L., pt. 1, p. 806.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That*  
the provisions of section ten hundred and fourteen of the Revised Statutes, so far as applicable, shall apply throughout the United States for the arrest and removal there-  
Philippine Islands.  
Extradition laws applied to.  
R. S., sec. 1014, p. 189.

from to the Philippine Islands of any fugitive from justice charged with the commission of any crime or offense against the United States within the Philippine Islands, and shall apply within the Philippine Islands for the arrest and removal therefrom to the United States of any fugitive from justice charged with the commission of any crime or offense against the United States. Such fugitive may, by any judge or magistrate of the Philippine Islands, and agreeably to the usual mode of process against offenders therein, be arrested and imprisoned, or bailed, as the case may be, pending the issuance of a warrant for his removal to the United States, which warrant it shall be the duty of a judge of the court of first instance seasonably to issue, and of the officer or agent of the United States designated for the purpose to execute. Such officer or agent, when engaged in executing such warrant without the Philippine Islands, shall have all the powers of a marshal of the United States so far as such powers are requisite for the prisoner's safe-keeping and the execution of the warrant.

Procedure.

Authority of officers.

SEC. 2. That the provisions of sections fifty-two hundred and seventy-eight and fifty-two hundred and seventy-nine of the Revised Statutes, so far as applicable, shall apply to the Philippine Islands, which, for the purposes of said sections, shall be deemed a Territory within the meaning thereof.

Authority to transfer criminals. R. S., secs. 5278, 5279, pp. 1022, 1023.

**CHAP. 980.**—An Act To establish a standard of value and to provide for a coinage system in the Philippine Islands.

March 2, 1903.

[Public No. 137.]  
32 Stats. L., pt. 1, p. 952.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* the unit of value in the Philippine Islands shall be the gold peso consisting of twelve and nine-tenths grains of gold, nine-tenths fine, said gold peso to become the unit of value when the government of the Philippine Islands shall have coined and ready for, or in, circulation not less than five million of the silver pesos hereinafter provided for in this Act, and the gold coins of the United States at the rate of one dollar for two pesos hereinafter authorized to be coined shall be legal tender for all debts, public and private, in the Philippine Islands.

Philippine coinage. Unit of value to be the gold peso.

SEC. 2. That in addition to the coinage authorized for use in the Philippine Islands by the Act of July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," the government of the Philippine Islands is authorized to coin to an amount not exceeding seventy-five million pesos, for use in said islands, a silver coin of the denomination of one peso and of the weight of four hundred and sixteen grains, and the standard of said silver coins shall be such that of one thousand parts, by weight, nine hundred shall be of pure metal and one hundred of alloy, and the alloy shall be of copper.

Silver coins.

Silver pesos authorized.

To be a legal tender.

*Proviso.*  
Payment of debts prior to December 31, 1903.

Subsidiary silver coins.  
Weight increased.

To be coined from bullion purchased.

*Proviso.*  
Recoinage permitted.

Legal tender value of subsidiary coins.

Limitations, etc.

Maintenance of parity between silver and gold pesos.

Issue of temporary certificates of indebtedness.

SEC. 3. That the silver Philippine peso authorized by this Act shall be legal tender in the Philippine Islands for all debts, public and private, unless otherwise specifically provided by contract: *Provided*, That debts contracted prior to the thirty-first day of December, nineteen hundred and three, may be paid in the legal-tender currency of said islands existing at the time of the making of said contracts, unless otherwise expressly provided by contract.

SEC. 4. That section seventy-seven of the Act of July first, nineteen hundred and two, is hereby amended so that it shall read:

“SEC. 77. That the government of the Philippine Islands is authorized to coin for use in said islands a coin of the denomination of fifty centavos and of the weight of two hundred and eight grains, a coin of the denomination of twenty centavos and of the weight of eighty-three and ten one-hundredths grains, and a coin of the denomination of ten centavos and of the weight of forty-one and fifty-five one-hundredths grains; and the standard of said silver coins shall be such that of one thousand parts, by weight, nine hundred shall be of pure metal and one hundred of alloy, and the alloy shall be of copper.”

SEC. 5. That the Philippine peso herein authorized and the subsidiary silver coins authorized by section seventy-seven of the Act of July first, nineteen hundred and two, as amended by the preceding section of this Act, shall be coined under the authority of the government of the Philippine Islands in such amounts as it may determine, with the approval of the Secretary of War of the United States, except as limited in section two of this Act, from silver bullion purchased by said government, with the approval of the Secretary of War of the United States: *Provided*, That said government may, in its discretion, in lieu of the purchase of bullion, recoin any of the silver coins now in or hereafter received by the treasury of the government of the Philippine Islands into the coins provided for in this Act or in the Act of July first, nineteen hundred and two, as herein amended, at such rate and under such regulations as it may prescribe; and the subsidiary silver coins authorized by this Act and by the Act of July first, nineteen hundred and two, shall be legal tender in said islands to the amount of ten dollars.

SEC. 6. That the coinage authorized by this Act shall be subject to the conditions and limitations of the provisions of the Act of July first, nineteen hundred and two, entitled “An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes,” except as herein otherwise provided; and the government of the Philippine Islands may adopt such measures as it may deem proper, not inconsistent with said Act of July first, nineteen hundred and two, to maintain the value of the silver Philippine peso at the rate of one gold peso, and in order to maintain such parity between said silver Philippine pesos and the gold pesos herein provided for, and for no other purpose, may issue temporary certificates of indebtedness, bearing interest at a rate not to exceed four per centum annually,

payable at periods of three months or more, but not later than one year from the date of issue, which shall be in the denominations of twenty-five dollars, or fifty pesos, or some multiple of such sum, and shall be redeemable in gold coin of the United States, or in lawful money of said islands, according to the terms of issue prescribed by the government of said islands; but the amount of such certificates outstanding at any one time shall not exceed ten million dollars, or twenty million pesos, and said certificates shall be exempt from the payment of all taxes or duties of the government of the Philippine Islands, or any local authority therein, or of the Government of the United States, as well as from taxation in any form by or under any State, municipal, or local authority in the United States or the Philippine Islands: *Provided*, That all the proceeds of said certificates shall be used exclusively for the maintenance of said parity, as herein provided, and for no other purpose, except that a sum not exceeding three million dollars at any one time may be used as a continuing credit for the purchase of silver bullion in execution of the provisions of this Act.

Redemption.

Maximum amount.

Exempt from taxation.

Proviso. Use of proceeds.

SEC. 7. That the Mexican silver dollar now in use in the Philippine Islands and the silver coins heretofore issued by the Spanish Government for use in said islands shall be receivable for public dues at a rate to be fixed from time to time by the proclamation of the civil governor of said islands until such date, not earlier than the first day of January, nineteen hundred and four, as may be fixed by public proclamation of said civil governor, when such coins shall cease to be so receivable: *Provided*, That the public offices of the government of said islands shall give a preference for all public dues to the silver pesos and the silver certificates authorized by this Act, and may at any time refuse to receive such Mexican dollars and Spanish coins as may appear to be counterfeit or defective.

Silver coins now in use received until January 1, 1904.

Proviso. Preferences.

SEC. 8. That the treasurer of the Philippine Islands is hereby authorized, in his discretion, to receive deposits of the standard silver coins of one peso authorized by this Act to be coined, at the treasury of the government of said islands or any of its branches, in sums of not less than twenty pesos, and to issue silver certificates therefor in denominations of not less than two nor more than ten pesos, and coin so deposited shall be retained in the treasury and held for the payment of such certificates on demand, and used for no other purpose. Such certificates shall be receivable for customs, taxes, and for all public dues in the Philippine Islands, and when so received may be reissued, and when held by any banking association in said islands may be counted as a part of its lawful reserve.

Issue of silver certificates for deposit of silver pesos.

Denomination.

SEC. 9. That for the purchase of metal for the silver Philippine peso authorized by this Act, an appropriation may be made by the government of the Philippine Islands from its current funds, or as hereinbefore authorized, which shall be reimbursed from the coinage under said sections.

Purchase of bullion.

SEC. 10. That the silver Philippine pesos hereinbefore

Place of coinage.

authorized may be coined at the mint of the government of the Philippine Islands at Manila, or arrangements may be made by the said government with the Secretary of the Treasury of the United States for their coinage or any portion thereof at any of the mints of the United States, at a charge covering the reasonable cost of the work.

Devices and inscriptions.

SEC. 11. That the silver Philippine peso hereinbefore authorized shall bear devices and inscriptions to be prescribed by the government of the Philippine Islands, and such devices and inscriptions shall express the sovereignty of the United States, that it is a coin of the Philippine Islands, the denomination of the coin, and the year of the coinage.

Preparation of notes and certificates.

SEC. 12. That the Secretary of the Treasury is hereby authorized and directed, when requested by the government of the Philippine Islands, to cause to be made and prepared any drawings, designs, and plates, and execute any coinage, engraving, or printing of notes and certificates authorized by this Act, and to make a proper charge for the same, covering as nearly as may be the actual cost, which shall be defrayed from the revenues of said islands.

Repeal

SEC. 13. That section seventy-eight of the Act of July first, nineteen hundred and two, and all Acts and parts of Acts inconsistent with the provisions of this Act, and all provisions of law in force in the Philippine Islands making any form of money legal tender after December thirty-first, nineteen hundred and three, except as provided in this Act, are hereby repealed.

March 3, 1903.  
[Public, No. 156.]  
32 Stats. L., pt.  
1, p. 1031.

**CHAP. 1006.**—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and three, and for prior years, and for other purposes.

## DEPARTMENT OF THE INTERIOR.

\* \* \* \* \*

### TWELFTH CENSUS.

Use of balances continued.

The unexpended balance of the census appropriation, which by the proviso in the Act approved June twenty-eighth, nineteen hundred and two, entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes," which was reappropriated and made available for continuing the work of taking the Twelfth Census, and for all expenses arising under and authorized by the Act to provide for the permanent Census Office, approved March sixth, nineteen hundred and two, be, and the same is hereby, made available for the purposes indicated in said proviso during the fiscal year nineteen hundred and four; and that said balance, or so much thereof as may be needed for the purpose, be, and the same is hereby, also made available for

Philippine census.

such expenditures as may become necessary in complying with the proclamation of the President, dated September thirtieth, nineteen hundred and two, pursuant to the provisions of section six of the Act of July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," including the cost of temporarily employing such number of persons as may be necessary for the performance of said work, at a compensation not to exceed that which has heretofore been paid employees in the Census Office for doing similar work, such persons to be selected and employed by the Director at such dates and for such periods of time as he may deem proper. \* \* \*

\* \* \* \* \*





HAWAII.

*Fifty-fifth Congress, first session.*

**CHAP. 2.**—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes. June 4, 1897.  
[Public, No. 2.]  
30 Stats. L.,  
p. 11.

\* \* \* \*

UNDER THE WAR DEPARTMENT.

\* \* \* \*

ENGINEER DEPARTMENT.

\* \* \* \*

**IMPROVEMENT OF PEARL HARBOR:** For expense of necessary survey of entrance to and of Pearl Harbor, Hawaiian Islands, and to enable the Secretary of the Navy to ascertain and report to Congress the amount of land necessary to be acquired in said harbor and the probable cost thereof for a coaling and repair station, ten thousand dollars. Pearl Harbor  
Survey, etc.

\* \* \* \*

*Fifty-fifth Congress, second session.*

**CHAP. 68.**—An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for other purposes. March 15, 1898.  
[Public, No. 87.]  
30 Stats. L., p.  
277.

\* \* \* \*

NAVY DEPARTMENT.

\* \* \* \*

For drawing and engraving on copper plates the survey of Pearl Harbor, Hawaiian Islands, authorized under the sundry civil act of June fourth, eighteen hundred and ninety-seven; for completing a series of charts of the Hawaiian Islands, for the navigation of the vessels of the Navy and for the benefit of mariners generally, from data resulting from the Hawaiian Government survey, which have been made available for this purpose by the Hawaiian Republic; \* \* \* twelve thousand dollars. \* \* \* Pearl Harbor,  
survey of.  
Appropriation  
for drawings,  
etc.

\* \* \* \*



June 13, 1898. **CHAP. 446.**—An Act Making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine.  
[Public, No. 131.]  
30 Stats. L., p. 440.

\* \* \* \* \*

OFFICE OF THE SECOND ASSISTANT POSTMASTER-GENERAL.

\* \* \* \* \*

Foreign mails. For transportation of foreign mails, one million eight hundred and fifty thousand dollars, including additional compensation to the Oceanic Steamship Company for transporting the mails by its steamers sailing from San Francisco to New Zealand and New South Wales by way of Honolulu, all mails made up in the United States destined for the Hawaiian Islands, the Australian colonies, New Caledonia, and the islands in the Pacific Ocean, eighty thousand dollars: *Provided*, That the sum paid the said Oceanic Steamship Company shall not exceed two dollars per mile, as authorized by Act of March third, eighteen hundred and ninety-one, entitled “An Act to provide for ocean mail service between the United States and foreign ports, and to promote commerce:” \* \* \*

\* \* \* \* \*

July 7, 1898. [No. 55.] Joint Resolution To provide for annexing the Hawaiian Islands to the United States.  
[Public Res., No. 51.]  
30 Stats. L., p. 750.  
Annexation of the Hawaiian Islands.  
Preamble.

Whereas the Government of the Republic of Hawaii having, in due form, signified its consent, in the manner provided by its constitution, to cede absolutely and without reserve to the United States of America all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and also to cede and transfer to the United States the absolute fee and ownership of all public, Government, or Crown lands, public buildings or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the Government of the Hawaiian Islands, together with every right and appurtenance thereunto appertaining: Therefore,

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That said cession is accepted, ratified, and confirmed, and that the said Hawaiian Islands and their dependencies be, and they are hereby, annexed as a part of the territory of the United States and are subject to the sovereign dominion thereof, and that all and singular the property and rights hereinbefore mentioned are vested in the United States of America.

Cession of Hawaiian sovereignty, etc., accepted.

Congress to enact special public-land laws.

*Provided*, That the existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands; but the Congress of the United States shall enact special laws for their management and disposition: *Provided*, That all revenue from or proceeds of the same, except as regards such part thereof as may be used or

occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the local government, shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes.

Until Congress shall provide for the government of such islands all the civil, judicial, and military powers exercised by the officers of the existing government in said islands shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct; and the President shall have power to remove said officers and fill the vacancies so occasioned.

Existing powers of officers continued.

Removal of officers.

The existing treaties of the Hawaiian Islands with foreign nations shall forthwith cease and determine, being replaced by such treaties as may exist, or as may be hereafter concluded, between the United States and such foreign nations. The municipal legislation of the Hawaiian Islands, not enacted for the fulfillment of the treaties so extinguished, and not inconsistent with this joint resolution nor contrary to the Constitution of the United States nor to any existing treaty of the United States, shall remain in force until the Congress of the United States shall otherwise determine.

Existing treaties replaced by United States treaties.

Municipal legislation continued.

Until legislation shall be enacted extending the United States customs laws and regulations to the Hawaiian Islands the existing customs relations of the Hawaiian Islands with the United States and other countries shall remain unchanged.

Existing customs laws continued.

The public debt of the Republic of Hawaii, lawfully existing at the date of the passage of this joint resolution, including the amounts due to depositors in the Hawaiian Postal Savings Bank, is hereby assumed by the Government of the United States; but the liability of the United States in this regard shall in no case exceed four million dollars. So long, however, as the existing Government and the present commercial relations of the Hawaiian Islands are continued as hereinbefore provided said Government shall continue to pay the interest on said debt.

United States to assume the public debt of Hawaii.

—limit.

—interest.

There shall be no further immigration of Chinese into the Hawaiian Islands, except upon such conditions as are now or may hereafter be allowed by the laws of the United States; and no Chinese, by reason of anything herein contained, shall be allowed to enter the United States from the Hawaiian Islands.

Chinese immigration prohibited.

The President shall appoint five commissioners, at least two of whom shall be residents of the Hawaiian Islands, who shall, as soon as reasonably practicable, recommend to Congress such legislation concerning the Hawaiian Islands as they shall deem necessary or proper.

Commissioners to recommend legislation.

SEC. 2. That the commissioners hereinbefore provided for shall be appointed by the President, by and with the advice and consent of the Senate.

—appointment of.

SEC. 3. That the sum of one hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and to be immediately available, to be ex-

Appropriation for enforcing resolution.

pended at the discretion of the President of the United States of America, for the purpose of carrying this joint resolution into effect.

*Fifty-fifth Congress, third session.*

March 1, 1899. **CHAP. 327.**—An Act Making appropriations for the service of  
[Public, No. 107.] the Post-Office Department for the fiscal year ending June thirtieth,  
30 Stats. L., p. nineteen hundred.  
959. \* \* \* \*

OFFICE OF THE SECOND ASSISTANT POSTMASTER-GENERAL.

\* \* \* \* \*

Foreign mails. For transportation of foreign mails, two million one  
Oceanic hundred and fifty-four thousand dollars, including addi-  
Steamship Com- tional compensation to the Oceanic Steamship Company  
pany. for transporting the mails by its steamers sailing from San  
Francisco to New Zealand and New South Wales by way  
of Honolulu, all mails made up in the United States des-  
tined for the Hawaiian Islands, the Australian colonies,  
New Caledonia, and the islands in the Pacific Ocean,  
Provisos eighty thousand dollars: *Provided*, That the sum paid the  
Limit. said Oceanic Steamship Company shall not exceed two  
dollars per mile, as authorized by Act of March third,  
eighteen hundred and ninety-one, entitled "An Act to  
provide for ocean mail service between the United States  
and foreign ports, and to promote commerce:" \* \* \*

\* \* \* \*

Franking The franking privilege, as the same is regulated by  
privilege ex- tended to Ha- law, shall extend to the Hawaiian Islands. \* \* \*

waiian Islands. \* \* \*

March 3, 1899. **CHAP. 419.**—An Act To provide for taking the Twelfth and  
[Public, No. 183.] subsequent censuses.  
30 Stats. L., p. 1014.

Twelfth Cen- *Be it enacted by the Senate and House of Representatives*  
sus. *of the United States of America in Congress assembled*, That  
a census of the population, of deaths, and of the manufac-  
turing, mechanical, and agricultural products of the  
United States shall be taken in the year nineteen hundred,  
and once every ten years thereafter.

\* \* \* \*

Alaska and SEC. 7. \* \* \* The Director of the Census is also  
Hawaiian Is- authorized and directed to make suitable provisions for  
lands. the enumeration of the population and products of Alaska  
and the Hawaiian Islands, for which purpose he may  
employ supervisors and enumerators or special agents as  
he may deem necessary. \* \* \*

\* \* \* \*

Supervisors. SEC. 9. That the Director of the Census shall, at least  
six months prior to the date fixed for commencing the  
enumeration at the Twelfth and each succeeding decen-

nial census, designate the number, whether one or more, of supervisors of census to be appointed within each State and Territory, the District of Columbia, Alaska, and the Hawaiian Islands, who shall be appointed by the President, by and with the advice and consent of the Senate:

\* \* \* \* \*

**CHAP. 425.**—An Act Making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

March 3, 1899.  
[Public No. 189.]  
30 Stats. L., p. 1121.

\* \* \* \* \*

Improving Pearl Harbor, Hawaii, in accordance with the report submitted by Rear-Admiral Walker, July eleventh, eighteen hundred and ninety-four, and contained in Senate Executive Document Number Forty-two, Fifty-third Congress, third session: Completing improvement, one hundred thousand dollars. \* \* \*

Pearl Harbor, Hawaii.

\* \* \* \* \*

*Fifty-sixth Congress, first session.*

**CHAP. 339.**—An Act To provide a government for the Territory of Hawaii.

April 30, 1900.  
[Public, No. 82.]  
31 Stats. L., p. 141.  
Hawaii.  
Provisions for government of.

*Be it enacted by the Senate and House of representatives of the United States of America in Congress assembled,*

CHAPTER I.—GENERAL PROVISIONS.

DEFINITIONS.

**SEC. 1.** That the phrase “the laws of Hawaii,” as used in this Act without qualifying words, shall mean the constitution and laws of the Republic of Hawaii, in force on the twelfth day of August, eighteen hundred and ninety-eight, at the time of the transfer of the sovereignty of the Hawaiian Islands to the United States of America.

—“laws of Hawaii.”

The constitution and statute laws of the Republic of Hawaii then in force, set forth in a compilation made by Sidney M. Ballou under the authority of the legislature, and published in two volumes entitled “Civil Laws” and “Penal Laws,” respectively, and in the Session Laws of the Legislature for the session of eighteen hundred and ninety-eight, are referred to in this Act as “Civil Laws,” “Penal Laws,” and “Session Laws.”

“Civil laws,” etc.

TERRITORY OF HAWAII.

**SEC. 2.** That the islands acquired by the United States of America under an Act of Congress entitled “Joint resolution to provide for annexing the Hawaiian Islands to the United States,” approved July seventh, eighteen hundred and ninety-eight, shall be known as the Territory of Hawaii.

Name of annexed territory.

GOVERNMENT OF THE TERRITORY OF HAWAII.

Government. SEC. 3. That a Territorial government is hereby established over the said Territory, with its capital at Honolulu, on the island of Oahu.

CITIZENSHIP.

Citizenship. SEC. 4. That all persons who were citizens of the Republic of Hawaii on August twelfth, eighteen hundred and ninety-eight, are hereby declared to be citizens of the United States and citizens of the Territory of Hawaii.

And all citizens of the United States resident in the Hawaiian Islands who were resident there on or since August twelfth, eighteen hundred and ninety-eight, and all the citizens of the United States who shall hereafter reside in the Territory of Hawaii for one year shall be citizens of the Territory of Hawaii.

APPLICATION OF THE LAWS OF THE UNITED STATES.

Application of Federal laws. SEC. 5. That the Constitution, and, except as herein otherwise provided, all the laws of the United States which are not locally inapplicable, shall have the same force and effect within the said Territory as elsewhere in the United States: *Provided*, That sections eighteen hundred and fifty and eighteen hundred and ninety of the Revised Statutes of the United States shall not apply to the Territory of Hawaii.

*Proviso.*  
Submission of territorial laws to Congress.  
Limitation on right of religious corporations to hold real estate.

LAWS OF HAWAII.

R. S., secs. 1850-1880, pp. 327-333.  
Existing laws continued in force. SEC. 6. That the laws of Hawaii not inconsistent with the Constitution or laws of the United States or the provisions of this Act shall continue in force, subject to repeal or amendment by the legislature of Hawaii or the Congress of the United States.

Existing laws repealed. SEC. 7. That the constitution of the Republic of Hawaii and the laws of Hawaii, as set forth in the following acts, chapters, and sections of the civil laws, penal laws, and session laws, and relating to the following subjects, are hereby repealed:

Civil laws. CIVIL LAWS: Sections two and three, Promulgation of laws; chapter five, Flag and seal; sections thirty to thirty-three, inclusive, Tenders for supplies; chapter seven, Minister of foreign affairs; chapter eight, Diplomatic and consular agents; sections one hundred and thirty-four and one hundred and thirty-five, National museum; chapter twelve, Education of Hawaiian youths abroad; sections one hundred and fifty to one hundred and fifty-six, inclusive, Aid to board of education; chapter fourteen, Minister of the interior; sections one hundred and sixty-six to one hundred and sixty-eight, inclusive, one hundred and seventy-four and one hundred and seventy-five, Government lands; section one hundred and ninety, Board of commissioners of public lands; section four hundred and twenty-four, Bureau of agriculture and forestry; chapter thirty-one, Agriculture and manufactures; chapter thirty-two, Ramie; chapter thirty-three, Taro flour; chap-



ter thirty-four, Development of resources; chapter thirty-five, Agriculture; section four hundred and seventy-seven, Brands; chapter thirty-seven, Patents; chapter thirty-eight, Copyrights; sections five hundred and fifty-six and five hundred and fifty-seven, Railroad subsidy; chapter forty-seven, Pacific cable; chapter forty-eight, Hospitals; chapter fifty-one, Coins and currency; chapter fifty-four, Consolidation of public debt; chapter fifty-six, Post-office; chapter fifty-seven, Exemptions from postage; chapter fifty-eight, Postal savings banks; chapter sixty-five, Import duties; chapter sixty-six, Imports; chapter sixty-seven, Ports of entry and collection districts; chapter sixty-eight, Collectors; chapter sixty-nine, Registry of vessels; section one thousand and eleven, Custom-house charges; section eleven hundred and two, Elections; section eleven hundred and thirty-two, Appointment of magistrate; last clause of first subdivision and fifth subdivision of section eleven hundred and forty-four, first subdivision of section eleven hundred and forty-five, Jurisdiction; sections eleven hundred and seventy-three to eleven hundred and seventy-eight, inclusive, Translation of decisions; section eleven hundred and eighty-eight, Clerks of court; sections thirteen hundred and twenty-nine, thirteen hundred and thirty-one, thirteen hundred and thirty-two, thirteen hundred and forty-seven to thirteen hundred and fifty-four, inclusive, Juries; sections fifteen hundred and nine to fifteen hundred and fourteen, inclusive, Maritime matters; chapter one hundred and two, Naturalization; section sixteen hundred and seventy-eight, Habeas corpus; chapter one hundred and eight, arrest of debtors; subdivisions six, seven, ten, twelve to fourteen of section seventeen hundred and thirty-six, Garnishment; sections seventeen hundred and fifty-five to seventeen hundred and fifty-eight, inclusive, Liens on vessels; chapter one hundred and sixteen, Bankruptcy, and sections eighteen hundred and twenty-eight to eighteen hundred and thirty-two, inclusive, Water rights.

**PENAL LAWS:** Chapter six, Treason; section sixty-five to sixty-seven, inclusive, Foot binding; chapter seventeen, Violation of postal laws; section three hundred and fourteen, Blasphemy; sections three hundred and seventy-one to three hundred and seventy-two, inclusive, Vagrants; sections four hundred and eleven to four hundred and thirteen, inclusive, Manufacture of liquors; chapter forty-three, Offenses on the high seas and other waters; sections five hundred and ninety-five and six hundred and two to six hundred and five, inclusive, Jurisdiction; section six hundred and twenty-three, Procedure; sections seven hundred and seven hundred and one, Imports; section seven hundred and fifteen, Auction license; section seven hundred and forty-five, Commercial travelers; sections seven hundred and forty-eight to seven hundred and fifty-five, inclusive, Firearms; sections seven hundred and ninety-six to eight hundred and nine, inclusive, Coasting trade; sections eight hundred and eleven and eight hundred and twelve, Peddling foreign goods; sections eight

—penal laws repealed.

hundred and thirteen to eight hundred and fifteen, inclusive, Importation of live stock; section eight hundred and nineteen, Imports; sections eight hundred and eighty-six to nine hundred and six, inclusive, Quarantine; section eleven hundred and thirty-seven, Consuls and consular agents; chapter sixty-seven, Whale ships; sections eleven hundred and forty-five to eleven hundred and seventy-nine, inclusive, and twelve hundred and four to twelve hundred and nine, inclusive, Arrival, entry, and departure of vessels; chapters sixty-nine to seventy-six, inclusive, Navigation and other matters within the exclusive jurisdiction of the United States; sections thirteen hundred and forty-seven and thirteen hundred and forty-eight, Fraudulent exportation; chapter seventy-eight, Masters and servants; chapter ninety-three, Immigration; sections sixteen hundred and one, sixteen hundred and eight, and sixteen hundred and twelve, Agriculture and forestry; chapter ninety-six, Seditious offenses; and chapter ninety-nine, Sailing regulations.

—session laws  
repealed. SESSION LAWS: Act fifteen, Elections; Act twenty-six, Duties; Act twenty-seven, Exemptions from duties; Act thirty-two, Registry of vessels; section four of Act thirty-eight, Importation of live stock; Act forty-eight, Pacific cable; Act sixty-five, Consolidation of public debt; Act sixty-six, Ports of entry; and Act sixty-eight, Chinese immigration.

#### CERTAIN OFFICES ABOLISHED.

Certain of-  
fices abolished. SEC. 8. That the offices of President, minister of foreign affairs, minister of the interior, minister of finance, minister of public instruction, auditor-general, deputy auditor-general, surveyor-general, marshal, and deputy marshal of the Republic of Hawaii are hereby abolished.

#### AMENDMENT OF OFFICIAL TITLES.

Amendment  
of official titles. SEC. 9. That wherever the words "President of the Republic of Hawaii," or "Republic of Hawaii," or "Government of the Republic of Hawaii," or their equivalents, occur in the laws of Hawaii not repealed by this Act, they are hereby amended to read "Governor of the Territory of Hawaii," or "Territory of Hawaii," or "Government of the Territory of Hawaii," or their equivalents, as the context requires.

#### CONSTRUCTION OF EXISTING STATUTES.

Existing obli-  
gations, etc., un-  
affected. SEC. 10. That all rights of action, suits at law and in equity, prosecutions, and judgments existing prior to the taking effect of this Act shall continue to be as effectual as if this Act had not been passed; and those in favor of or against the Republic of Hawaii, and not assumed by or transferred to the United States, shall be equally valid in favor of or against the government of the Territory of Hawaii. All offenses which by statute then in force were punishable as offenses against the Republic of Hawaii

—existing  
offenses. of-



shall be punishable as offenses against the government of the Territory of Hawaii, unless such statute is inconsistent with this Act, or shall be repealed or changed by law. No person shall be subject to imprisonment for nonpayment of taxes nor for debt. All criminal and penal proceedings then pending in the courts of the Republic of Hawaii shall be prosecuted to final judgment and execution in the name of the Territory of Hawaii; all such proceedings, all actions at law, suits in equity, and other proceedings then pending in the courts of the Republic of Hawaii shall be carried on to final judgment and execution in the corresponding courts of the Territory of Hawaii; and all process issued and sentences imposed before this Act takes effect shall be as valid as if issued or imposed in the name of the Territory of Hawaii: *Provided*, That no suit or proceedings shall be maintained for the specific performance of any contract heretofore or hereafter entered into for personal labor or service, nor shall any remedy exist or be enforced for breach of any such contract, except in a civil suit or proceeding instituted solely to recover damages for such breach: *Provided further*, That the provisions of this section shall not modify or change the laws of the United States applicable to merchant seamen.

—criminal, etc., proceedings.

*Provisos.*  
Contracts for labor, etc.

Merchant seamen.

That all contracts made since August twelfth, eighteen hundred and ninety-eight, by which persons are held for service for a definite term, are hereby declared null and void and terminated, and no law shall be passed to enforce said contracts in any way; and it shall be the duty of the United States marshal to at once notify such persons so held of the termination of their contracts.

Contracts for a definite term of service void, etc.

That the Act approved February twenty-sixth, eighteen hundred and eighty-five, "To prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia," and the Acts amendatory thereof and supplemental thereto, be, and the same are hereby, extended to and made applicable to the Territory of Hawaii.

Contract labor laws made applicable.

## STYLE OF PROCESS.

SEC. 11. That the style of all process in the Territorial courts shall hereafter run in the name of "The Territory of Hawaii," and all prosecutions shall be carried on in the name and by the authority of the Territory of Hawaii.

Style of process.

## CHAPTER II.—THE LEGISLATURE.

### THE LEGISLATIVE POWER.

SEC. 12. That the legislature of the Territory of Hawaii shall consist of two houses, styled, respectively, the senate and house of representatives, which shall organize and sit separately, except as otherwise herein provided.

—to consist of two houses.

—style.           The two houses shall be styled “The legislature of the Territory of Hawaii.”

**SEC. 13.** That no person shall sit as a senator or representative in the legislature unless elected under and in conformity with this Act.

## GENERAL ELECTIONS.

*Proviso.* teen hundred, and every second year thereafter: *Pro-*  
*Special* *vided, however,* That the governor may, in his discretion,  
*tions.* elec- on thirty days' notice, order a special election before the  
first general election, if, in his opinion, the public inter-  
ests shall require a special session of the legislature.

**EACH HOUSE JUDGE OF QUALIFICATIONS OF MEMBERS.**

**SEC. 15.** That each house shall be the judge of the elections, returns, and qualifications of its own members.

## DISQUALIFICATIONS OF LEGISLATORS.

**Disqualifications of legislators.** SEC. 16. That no member of the legislature shall, during the term for which he is elected, be appointed or elected to any office of the Territory of Hawaii.

## DISQUALIFICATIONS OF GOVERNMENT OFFICERS AND EMPLOYEES.

**SEC. 17.** That no person holding office in or under or by authority of the Government of the United States or of the Territory of Hawaii shall be eligible to election to the legislature, or to hold the position of a member of the same while holding said office.

Idiots, convicts, etc., disqualified as voters.

**SEC. 18.** No idiot or insane person, and no person who shall be expelled from the legislature for giving or receiving bribes or being accessory thereto, and no person who, in due course of law, shall have been convicted of any criminal offense punishable by imprisonment, whether with or without hard labor, for a term exceeding one year, whether with or without fine, shall register to vote or shall vote or hold any office in, or under, or by authority of, the government, unless the person so convicted shall have been pardoned and restored to his civil rights.

### OATH OF OFFICE.

**Oath of office.** SEC. 19. That every member of the legislature, and all officers of the government of the Territory of Hawaii, shall take the following oath or affirmation:

I solemnly swear (or affirm), in the presence of Almighty God, that I will faithfully support the Constitution and laws of the United States, and conscientiously and impartially discharge my duties as a member of the legislature, or as an officer of the government of the Territory of Hawaii (as the case may be).

OFFICERS AND RULES.

SEC. 20. That the senate and house of representatives shall each choose its own officers, determine the rules of its own proceedings, not inconsistent with this Act, and keep a journal. Officers and rules.

AYES AND NOES.

SEC. 21. That the ayes and noes of the members on any question shall, at the desire of one-fifth of the members present, be entered on the journal. Ayes and noes.

QUORUM.

SEC. 22. That a majority of the number of members to which each house is entitled shall constitute a quorum of each house for the conduct of ordinary business, of which quorum a majority vote shall suffice; but the final passage of a law in each house shall require the vote of a majority of all the members to which such house is entitled. Quorum.

SEC. 23. That a smaller number than a quorum may adjourn from day to day, and compel the attendance of absent members, in such manner and under such penalties as each house may provide. —smaller number may adjourn from day to day.

SEC. 24. That, for the purpose of ascertaining whether there is a quorum present, the chairman shall count the number of members present. —ascertaining quorum.

PUNISHMENT OF PERSONS NOT MEMBERS.

SEC. 25. That each house may punish by fine, or by imprisonment not exceeding thirty days, any person not a member of either house who shall be guilty of disrespect to such house by any disorderly or contemptuous behavior in its presence or that of any committee thereof; or who shall, on account of the exercise of any legislative function, threaten harm to the body or estate of any of the members of such house; or who shall assault, arrest, or detain any witness or other person ordered to attend such house, on his way going to or returning therefrom; or who shall rescue any person arrested by order of such house. Punishment of persons not members.

But the person charged with the offense shall be informed, in writing, of the charge made against him, and have an opportunity to present evidence and be heard in his own defense. —offenses specified.

COMPENSATION OF MEMBERS.

SEC. 26. That the members of the legislature shall receive for their services, in addition to mileage at the rate of ten cents a mile each way, the sum of four hundred dollars for each regular session of the legislature, payable in three equal installments on and after the first, thirtieth, and fiftieth days of the session, and the sum of two hundred dollars for each extra session of the legislature. Compensation of members.

PUNISHMENT OF MEMBERS.

Punishment  
of members.

SEC. 27. That each house may punish its own members for disorderly behavior or neglect of duty, by censure, or by a two-thirds vote suspend or expel a member.

EXEMPTION FROM LIABILITY.

Exemption  
from liability.

SEC. 28. That no member of the legislature shall be held to answer before any other tribunal for any words uttered in the exercise of his legislative functions in either house.

EXEMPTION FROM ARREST.

Exemption  
from arrest.

SEC. 29. That the members of the legislature shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest during their attendance at the sessions of the respective houses, and in going to and returning from the same: *Provided*, That such privilege as to going and returning shall not cover a period of over ten days each way.

*Proviso.*  
—limitation.

THE SENATE.

NUMBER OF MEMBERS.

Term of serv-  
ice.  
*Proviso.*  
Division into  
classes.

SEC. 30. That the Senate shall be composed of fifteen members, who shall hold office for four years: *Provided*, however, That of the senators elected at the first general election, two from the first district, one from the second, three from the third, and one from the fourth district shall hold office for two years only, the details of such apportionment to be provided for by the legislature.

VACANCIES.

Vacancies.

SEC. 31. That vacancies caused by death, resignation, or otherwise shall be filled for the unexpired term at general or special elections.

SENATORIAL DISTRICTS.

Senatorial dis-  
tricts.

SEC. 32. That for the purpose of representation in the senate, until otherwise provided by law, the Territory is divided into the following senatorial districts, namely:

First district: The island of Hawaii.

Second district: The islands of Maui, Molokai, Lanai, and Kahoolawe.

Third district: The island of Oahu.

Fourth district: The islands of Kauai and Niihau.

Apportion-  
ment.

SEC. 33. That the electors in the said districts shall be entitled to elect senators as follows:

In the first district, four;

In the second district, three;

In the third district, six;

In the fourth district, two.

QUALIFICATIONS OF SENATORS.

SEC. 34. That in order to be eligible to election as a senator a person shall— Qualifications  
of senators.

Be a male citizen of the United States;

Have attained the age of thirty years;

Have resided in the Hawaiian Islands not less than three years and be qualified to vote for senators in the district from which he is elected.

THE HOUSE OF REPRESENTATIVES.

House of representatives.

NUMBER OF REPRESENTATIVES.

SEC. 35. That the house of representatives shall be composed of thirty members, elected, except as herein provided, every second year. Number of  
representatives,  
etc.

TERM OF OFFICE.

SEC. 36. That the term of office of the representatives elected at any general or special election shall be until the next general election held thereafter. Term of office.

VACANCIES.

SEC. 37. That vacancies in the office of representative caused by death, resignation, or otherwise shall be filled for the unexpired term at special elections. Vacancies.

REPRESENTATIVE DISTRICTS.

SEC. 38. That for the purpose of representation in the house of representatives, until otherwise provided by law, the Territory is divided into the following representative districts, namely: Representa-  
tive districts.

First district: That portion of the island of Hawaii known as Puna, Hilo, and Hamakua.

Second district: That portion of the island of Hawaii known as Kau, Kona, and Kohala.

Third district: The islands of Maui, Molokai, Lanai, and Kahoolawe.

Fourth district: That portion of the island of Oahu lying east and south of Nuuanu street and a line drawn in extension thereof from the Nuuanu Pali to Mokapu Point.

Fifth district: That portion of the island of Oahu lying west and north of the fourth district.

Sixth district: The islands of Kauai and Niihau.

APPORTIONMENT.

SEC. 39. That the electors in the said districts shall be entitled to elect representatives as follows: Apportion-  
ment.

In the first district, four;

In the second district, four;

In the third district, six;

In the fourth district, six;

In the fifth district, six;

In the sixth district, four.

QUALIFICATIONS OF REPRESENTATIVES.

Qualifications  
of representa-  
tives.

SEC. 40. That in order to be eligible to be a member of the house of representatives a person shall, at the time of election—

Have attained the age of twenty-five years;

Be a male citizen of the United States;

Have resided in the Hawaiian Islands not less than three years;

And shall be qualified to vote for representatives in the district from which he is elected.

Legislation

LEGISLATION.

SESSIONS OF THE LEGISLATURE.

Sessions of  
legislature.

SEC. 41. That the first regular session of the legislature shall be held on the third Wednesday in February, nineteen hundred and one, and biennially thereafter, in Honolulu.

SEC. 42. That neither house shall adjourn during any session for more than three days, or sine die, without the consent of the other.

—duration of.

SEC. 43. That each session of the legislature shall continue not longer than sixty days, excluding Sundays and holidays: *Provided, however,* That the governor may extend such session for not more than thirty days.

*Proviso.*  
—extension.

Special ses-  
sion.

The governor may convene the legislature, or the senate alone, in special session, and, in case the seat of government shall be unsafe from an enemy, riot, or insurrection, or any dangerous disease, direct that any regular or special session shall be held at some other than the regular meeting place.

Session at  
other than Cap-  
ital.

ENACTING CLAUSE—ENGLISH LANGUAGE.

Enacting  
clause.

SEC. 44. That the enacting clause of all laws shall be, "Be it enacted by the legislature of the Territory of Hawaii."

English lan-  
guage.

All legislative proceedings shall be conducted in the English language.

TITLE OF LAWS.

Title of laws.

SEC. 45. That each law shall embrace but one subject, which shall be expressed in its title.

READING OF BILLS.

Reading of  
bills.

SEC. 46. That a bill in order to become a law shall, except as herein provided, pass three readings in each house, on separate days, the final passage of which in each house shall be by a majority vote of all the members to which such house is entitled, taken by ayes and noes and entered upon its journal.

—final passage.



CERTIFICATION OF BILLS FROM ONE HOUSE TO THE OTHER.

SEC. 47. That every bill when passed by the house in which it originated, or in which amendments thereto shall have originated, shall immediately be certified by the presiding officer and clerk and sent to the other house for consideration.

Certification of bills from one house to another.

SIGNING BILLS.

SEC. 48. That, except as herein provided, all bills passed by the legislature shall, in order to be valid, be signed by the governor.

Signing bills.

VETO OF GOVERNOR.

SEC. 49. That every bill which shall have passed the legislature shall be certified by the presiding officers and clerks of both houses, and shall thereupon be presented to the governor. If he approves it, he shall sign it, and it shall become a law. If the governor does not approve such bill, he may return it, with his objections, to the legislature.

Veto of governor.

He may veto any specific item or items in any bill which appropriates money for specific purposes; but shall veto other bills, if at all, only as a whole.

PROCEDURE UPON RECEIPT OF VETO.

SEC. 50. That upon the receipt of a veto message from the governor each house of the legislature shall enter the same at large upon its journal and proceed to reconsider such bill, or part of a bill, and again vote upon it by ayes and noes, which shall be entered upon its journal.

Procedure upon receipt of veto.

If after such reconsideration such bill, or part of a bill, shall be approved by a two-thirds vote of all the members to which each house is entitled, it shall thereby become law.

FAILURE TO SIGN OR VETO.

SEC. 51. That if the governor neither signs nor vetoes a bill within ten days after it is delivered to him it shall become a law without his signature, unless the legislature adjourns sine die prior to the expiration of such ten days.

Failure to sign or veto.

If any bill shall not be returned by the governor within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the legislature by their adjournment prevents its return, in which case it shall not be a law.

APPROPRIATIONS.

SEC. 52. That appropriations, except as otherwise herein provided, shall be made biennially by the legislature: *Provided, however,* That pending the time when this Act shall

Appropriations made biennially.  
Post, p. 162.  
Proviso.

Use of funds  
in Hawaiian  
treasury au-  
thorized.

take effect and until a session of the legislature of the Territory of Hawaii shall be held, the President may, in his discretion, authorize and direct the use of such money in the treasury of the Republic of Hawaii as well as of the Territory of Hawaii, as he shall think requisite and proper for carrying on the government of the Territory of Hawaii, the preservation of the public health, the completion of the sewerage system of the city of Honolulu, and such other expenditures as in the President's judgment shall seem to be appropriate.

Estimates for  
appropriations.

SEC. 53. That the governor shall submit to the legislature, at each regular session, estimates for appropriations for the succeeding biennial period.

Failure to ap-  
propriate for  
current ex-  
penses.

—extra session.

SEC. 54. That in case of failure of the legislature to pass appropriation bills providing for payments of the necessary current expenses of carrying on the government and meeting its legal obligations as the same are provided for by the then existing laws, the governor shall, upon the adjournment of the legislature, call it in extra session for the consideration of appropriation bills, and until the legislature shall have acted the treasurer may, with the advice of the governor, make such payments, for which purpose the sums appropriated in the last appropriation bills shall be deemed to have been reappropriated. And all legislative and other appropriations made prior to the date when this Act shall take effect, shall be available to the government of the Territory of Hawaii.

#### LEGISLATIVE POWER.

Legislative  
power.  
—scope of.

—exclusive  
privileges, etc.,  
to corporations.  
—private char-  
ters.  
—incorpora-  
tions.

Proviso.  
Real estate  
holdings of cor-  
porations limi-  
ted, etc.

SEC. 55. That the legislative power of the Territory shall extend to all rightful subjects of legislation not inconsistent with the Constitution and laws of the United States locally applicable. The legislature, at its first regular session after the census enumeration shall be ascertained, and from time to time thereafter, shall reapportion the membership in the senate and house of representatives among the senatorial and representative districts on the basis of the population in each of said districts who are citizens of the Territory; but the legislature shall not grant to any corporation, association, or individual any special or exclusive privilege, immunity, or franchise without the approval of Congress; nor shall it grant private charters, but it may by general act permit persons to associate themselves together as bodies corporate for manufacturing, agricultural, and other industrial pursuits, and for conducting the business of insurance, savings banks, banks of discount and deposit (but not of issue), loan, trust, and guaranty associations, for the establishment and conduct of cemeteries, and for the construction and operation of railroads, wagon roads, vessels, and irrigating ditches, and the colonization and improvement of lands in connection therewith, or for colleges, seminaries, churches, libraries, or any other benevolent, charitable, or scientific association: *Provided*, That no corporation, domestic or foreign, shall acquire and hold real estate in Hawaii in excess of

one thousand acres; and all real estate acquired or held by such corporation or association contrary hereto shall be forfeited and escheat to the United States, but existing vested rights in real estate shall not be impaired. No divorce shall be granted by the legislature, nor shall any divorce be granted by the courts of the Territory unless the applicant therefor shall have resided in the Territory for two years next preceding the application, but this provision shall not affect any action pending when this Act takes effect; nor shall any lottery or sale of lottery tickets be allowed; nor shall spirituous or intoxicating liquors be sold except under such regulations and restrictions as the Territorial legislature shall provide; nor shall any public money be appropriated for the support or benefit of any sectarian, denominational, or private school, or any school not under the exclusive control of the government; nor shall the government of the Territory of Hawaii, or any political or municipal corporation or subdivision of the Territory, make any subscription to the capital stock of any incorporated company, or in any manner lend its credit for the use thereof; nor shall any debt be authorized to be contracted by or on behalf of the Territory, or any political or municipal corporation or subdivision thereof, except to pay the interest upon the existing indebtedness, to suppress insurrection, or to provide for the common defense, except that in addition to any indebtedness created for such purposes the legislature may authorize loans by the Territory, or any such subdivision thereof, for the erection of penal, charitable, and educational institutions, and for public buildings, wharves, roads, and harbor and other public improvements, but the total of such indebtedness incurred in any one year by the Territory or any subdivision shall not exceed one per centum upon the assessed value of taxable property of the Territory or subdivision thereof, as the case may be, as shown by the last general assessment for taxation, and the total indebtedness for the Territory shall not at any time be extended beyond seven per centum of such assessed value, and the total indebtedness of any subdivision shall not at any time be extended beyond three per centum of such assessed value, but nothing in this provision shall prevent the refunding of any existing indebtedness at any time; nor shall any such loan be made upon the credit of the public domain or any part thereof, nor shall any bond or other instrument of any such indebtedness be issued unless made redeemable in not more than five years and payable in not more than fifteen years from the date of the issue thereof; nor shall any such bond or indebtedness be incurred until approved by the President of the United States.

Divorce.

Lotteries.  
Liquors.

Sectarian, etc.,  
schools.

Government  
subscription to  
stock of corpo-  
rations, etc.

Contracting  
territorial debts  
restricted, etc.

#### TOWN, CITY, AND COUNTY GOVERNMENT.

SEC. 56. That the legislature may create counties and town and city municipalities within the Territory of Hawaii and provide for the government thereof.

Towns, etc.,  
government.

## Elections.

## ELECTIONS.

## EXEMPTION OF ELECTORS ON ELECTION DAY.

SEC. 57. That every elector shall be privileged from arrest on election day during his attendance at election and in going to and returning therefrom, except in case of breach of the peace then committed, or in case of treason or felony.

Exemption of electors on election day.

SEC. 58. That no elector shall be so obliged to perform military duty on the day of election as to prevent his voting, except in time of war or public danger, or in case of absence from his place of residence in actual military service, in which case provision may be made by law for taking his vote.

## METHOD OF VOTING FOR REPRESENTATIVES.

Method of voting for representatives.

SEC. 59. That each voter for representative may cast a vote for as many representatives as are to be elected from the representative district in which he is entitled to vote.

The required number of candidates receiving the highest number of votes in the respective representative districts shall be the representatives for such districts.

## QUALIFICATIONS OF VOTERS FOR REPRESENTATIVES.

Qualification of voters for representatives.

SEC. 60. That in order to be qualified to vote for representatives a person shall—

First. Be a male citizen of the United States.

Second. Have resided in the Territory not less than one year preceding and in the representative district in which he offers to register not less than three months immediately preceding the time at which he offers to register.

Third. Have attained the age of twenty-one years.

Fourth. Prior to each regular election, during the time prescribed by law for registration, have caused his name to be entered on the register of voters for representatives for his district.

Fifth. Be able to speak, read, and write the English or Hawaiian language.

## METHOD OF VOTING FOR SENATORS.

Method of voting for Senators.

SEC. 61. That each voter for senator may cast one vote for each senator to be elected from the senatorial district in which he is entitled to vote.

The required number of candidates receiving the highest number of votes in the respective senatorial districts shall be the senators for such district.

## QUALIFICATIONS OF VOTERS FOR SENATORS AND IN ALL OTHER ELECTIONS.

Qualifications of voters for senators and in other elections.

SEC. 62. That in order to be qualified to vote for senators and for voting in all other elections in the Territory

of Hawaii a person must possess all the qualifications and be subject to all the conditions required by this Act of voters for representatives.

SEC. 63. That no person shall be allowed to vote who is in the Territory by reason of being in the Army or Navy or by reason of being attached to troops in the service of the United States. Military service in Territory, disqualification.

SEC. 64. That the rules and regulations for administering oaths and holding elections set forth in Ballou's Compilation, Civil Laws, Appendix, and the list of registering districts and precincts appended, are continued in force with the following changes, to wit: Ballou's Compilation. Provisions as to oaths, etc., continued in force.

Strike out the preliminary proclamation and sections one to twenty-six, inclusive, sections thirty and thirty-nine, the second and third paragraphs of section forty-eight, the second paragraph of section fifty, and sections sixty-two, sixty-three, and sixty-six, second paragraph of section one hundred. —except

In section twenty-nine strike out all after the word "Niihau" and in lieu thereof insert: "The boards of registration existing at the date of the approval of this Act shall go out of office, and new boards, which shall consist of three members each, shall be appointed by the governor, by and with the advice and consent of the senate, whose terms of office shall be four years. Appointments made by the governor when the senate is not in session shall be valid until the succeeding meeting of that body."

In section thirty-one strike out "the first day of April and the thirtieth day of June, in the year eighteen hundred and ninety-seven," and insert in lieu thereof "the last day of August and the tenth day of October, in the year nineteen hundred."

Strike out the words "and the detailed record" in sections fifty-two and one hundred and twelve.

Strike out "marshal" wherever it occurs and insert in lieu thereof "high sheriff."

Strike out of section fifty-three the words "except as provided in section one hundred and fourteen hereof."

In sections fifty-three, fifty-four, fifty-six, fifty-seven, fifty-nine, sixty, seventy-one, seventy-five, eighty-six, ninety-two, ninety-three, ninety-four, ninety-five, one hundred and eleven, one hundred and twelve, and one hundred and thirteen strike out the words "minister" and "minister of the interior" wherever they occur and insert in lieu thereof the words "secretary of the Territory."

In section fifty-six, paragraph three, strike out "interior office" and insert "office of the secretary of the Territory."

In section fifty-six, first paragraph, after the words "candidate for election" insert "to the legislature;" and in the last paragraph strike out the word "only."

Strike out the word "elective" in section sixty-four.

In sections twenty-seven, sixty-four, sixty-five, sixty-eight, seventy, and seventy-two strike out the words "minister of the interior" or "minister" wherever they occur and insert in lieu thereof the word "governor."

Amend section sixty-seven so that it will read: "At least forty days before any election the governor shall issue an election proclamation and transmit copies of the same to the several boards of inspectors throughout the Territory, or where such election is to be held."

In section seventy-five strike out the word "perfectly," and in section seventy-six strike out "in" and insert "on."

In section one hundred and twelve strike out "interior department" and insert in lieu thereof "office of the secretary of the Territory."

In section one hundred and fourteen strike out the word "Republic" wherever it occurs and insert in lieu thereof "Territory."

In section one hundred and fifteen strike out the words "minister" and "minister of the interior" and insert in lieu thereof "treasurer," and strike out all after the word "refreshments:" *Provided, however,* That for the holding of a special election before the first general election the governor may prescribe the time during which the boards of registration shall meet and the registration be made.

Altering  
boundaries of  
election dis-  
tricts.

SEC. 65. That the legislature of the Territory may from time to time establish and alter the boundaries of election districts and voting precincts and apportion the senators and representatives to be elected from such districts.

### CHAPTER 3.—THE EXECUTIVE.

#### THE EXECUTIVE POWER.

Governor.

SEC. 66. That the executive power of the government of the Territory of Hawaii shall be vested in a governor, who shall be appointed by the President, by and with the advice and consent of the Senate of the United States, and shall hold office for four years and until his successor shall be appointed and qualified, unless sooner removed by the President. He shall be not less than thirty-five years of age; shall be a citizen of the Territory of Hawaii; shall be commander in chief of the militia thereof; may grant pardons or reprieves for offenses against the laws of the said Territory and reprieves for offenses against the laws of the United States until the decision of the President is made known thereon.

#### ENFORCEMENT OF LAW.

Powers of gov-  
ernor.

SEC. 67. That the governor shall be responsible for the faithful execution of the laws of the United States and of the Territory of Hawaii within the said Territory, and whenever it becomes necessary he may call upon the commanders of the military and naval forces of the United States in the Territory of Hawaii, or summon the posse comitatus, or call out the militia of the Territory to prevent or suppress lawless violence, invasion, insurrection, or rebellion in said Territory, and he may, in case of rebellion or invasion, or imminent danger thereof, when the public safety requires it, suspend the privilege of the



writ of habeas corpus, or place the Territory, or any part thereof, under martial law until communication can be had with the President and his decision thereon made known.

GENERAL POWERS OF THE GOVERNOR.

SEC. 68. That all the powers and duties which, by the laws of Hawaii, are conferred upon or required of the President or any minister of the Republic of Hawaii (acting alone or in connection with any other officer or person or body) or the cabinet or executive council, and not inconsistent with the Constitution or laws of the United States, are conferred upon and required of the governor of the Territory of Hawaii, unless otherwise provided.

SECRETARY OF THE TERRITORY.

SEC. 69. That there shall be a secretary of the said Territory, who shall be appointed by the President, by and with the advice and consent of the Senate of the United States, and who shall be a citizen of the Territory of Hawaii and hold his office for four years and until his successor shall be appointed and qualified, unless sooner removed by the President. He shall record and preserve all the laws and proceedings of the legislature and all acts and proceedings of the governor, and promulgate proclamations of the governor. He shall, within thirty days after the end of each session of the legislature, transmit to the President, the President of the Senate, and the Speaker of the House of Representatives of the United States one copy each of the laws and journals of such session. He shall transmit to the President, semiannually, on the first days of January and July, a copy of the executive proceedings, and shall perform such other duties as are prescribed in this Act or as may be required of him by the legislature of Hawaii.

ACTING GOVERNOR IN CERTAIN CONTINGENCIES.

SEC. 70. That in case of the death, removal, resignation, or disability of the governor, or his absence from the Territory, the secretary shall exercise all the powers and perform all the duties of governor during such vacancy, disability, or absence, or until another governor is appointed and qualified.

ATTORNEY-GENERAL.

SEC. 71. That there shall be an attorney-general, who shall have the powers and duties of the attorney-general and those of the powers and duties of the minister of the interior which relate to prisons, prisoners, and prison inspectors, notaries public, and escheat of lands under the laws of Hawaii, except as changed by this Act and subject to modification by the legislature.

## TREASURER.

Treasurer, duties, etc.

SEC. 72. That there shall be a treasurer, who shall have the powers and duties of the minister of finance and those of the powers and duties of the minister of the interior which relate to licenses, corporations, companies, and partnerships, business conducted by married women, newspapers, registry of conveyances, and registration of prints, labels, and trade-marks under the laws of Hawaii, except as changed in this Act and subject to modification by the legislature.

Commissioner of public lands.

## COMMISSIONER OF PUBLIC LANDS.

Public-land laws, sales, etc., continued in force.

Change of terms.

Lease of agricultural land.

Proviso.—exception.

Commissioner of Agriculture and Forestry.

Laws continued in force.

SEC. 73. That the laws of Hawaii relating to public lands, the settlement of boundaries, and the issuance of patents on land-commission awards, except as changed by this Act, shall continue in force until Congress shall otherwise provide. That, subject to the approval of the President, all sales, grants, leases, and other dispositions of the public domain, and agreements concerning the same, and all franchises granted by the Hawaiian government in conformity with the laws of Hawaii between the seventh day of July, eighteen hundred and ninety-eight, and the twenty-eighth day of September, eighteen hundred and ninety-nine, are hereby ratified and confirmed. In said laws "land patent" shall be substituted for "royal patent;" "commissioner of public lands" for "minister of the interior," "agent of public lands," and "commissioners of public lands," or their equivalents; and the words "that I am a citizen of the United States," or "that I have declared my intention to become a citizen of the United States, as required by law," for the words "that I am a citizen by birth (or naturalization) of the Republic of Hawaii," or "that I have received letters of denization under the Republic of Hawaii," or "that I have received a certificate of special right of citizenship from the Republic of Hawaii." And no lease of agricultural land shall be granted, sold, or renewed by the government of the Territory of Hawaii for a longer period than five years until Congress shall otherwise direct. All funds arising from the sale or lease or other disposal of such lands shall be appropriated by the laws of the government of the Territory of Hawaii and applied to such uses and purposes for the benefit of the inhabitants of the Territory of Hawaii as are consistent with the joint resolution of annexation, approved July seventh, eighteen hundred and ninety-eight: *Provided*, There shall be excepted from the provisions of this section all lands heretofore set apart, or reserved, by Executive order, or orders, by the President of the United States.

## COMMISSIONER OF AGRICULTURE AND FORESTRY.

SEC. 74. That the laws of Hawaii relating to agriculture and forestry, except as changed by this Act, shall continue in force, subject to modification by Congress or the

legislature. In said laws "commissioner of agriculture and forestry" shall be substituted, respectively, for "bureau," "bureau of agriculture and forestry," "commissioner," "commissioners of agriculture," and "commissioners for the island of Oahu." Change of terms.

#### SUPERINTENDENT OF PUBLIC WORKS.

SEC. 75. That there shall be a superintendent of public works, who shall have the powers and duties of the superintendent of public works and those of the powers and duties of the minister of the Interior which relate to streets and highways, harbor improvements, wharves, landings, waterworks, railways, electric light and power, telephone lines, fences, pounds, brands, weights and measures, fires and fireproof buildings, explosives, eminent domain, public works, markets, buildings, parks and cemeteries, and other grounds and lands now under the control and management of the minister of the interior, and those of the powers and duties of the minister of finance and collector-general which relate to pilots and harbor masters under the laws of Hawaii, except as changed by this Act and subject to modification by the legislature. In said laws the word "legislature" shall be substituted for "councils" and the words "the circuit court" for "the Hawaiian Postal Savings Bank." Superintendent of public works.—duties, etc. Change of terms.

#### SUPERINTENDENT OF PUBLIC INSTRUCTION.

SEC. 76. That there shall be a superintendent of public instruction, who shall have the powers and perform the duties conferred upon and required of the minister of public instruction by the laws of Hawaii as amended by this Act, and subject to modification by the legislature. Superintendent of public instruction.—duties, etc.

It shall be the duty of the United States Commissioner of Labor to collect, assort, arrange, and present in annual reports statistical details relating to all departments of labor in the Territory of Hawaii, especially in relation to the commercial, industrial, social, educational, and sanitary condition of the laboring classes, and to all such other subjects as Congress may, by law, direct. The said commissioner is especially charged to ascertain, at as early a date as possible, and as often thereafter as such information may be required, the highest, lowest, and average number of employees engaged in the various industries in the Territory, to be classified as to nativity, sex, hours of labor, and conditions of employment, and to report the same to Congress. Labor statistics.

#### AUDITOR AND DEPUTY AUDITOR.

SEC. 77. That there shall be an auditor and deputy auditor, who shall have the powers and duties conferred upon and required of the auditor-general and deputy auditor-general, respectively, by act thirty-nine of the Session Laws, as amended by this Act, subject to modification Auditor and deputy.—duties, etc.

by the legislature. In said act "officer" shall be substituted for "minister" where used without other designation.

#### SURVEYOR.

Surveyor.

SEC. 78. That there shall be a surveyor, who shall have the powers and duties heretofore attached to the surveyor-general, except such as relate to the geodetic survey of the Hawaiian Islands.

#### HIGH SHERIFF.

High sheriff.

SEC. 79. That there shall be a high sheriff and deputies, who shall have the powers and duties of the marshal and deputies of the Republic of Hawaii under the laws of Hawaii, except as changed by this Act, and subject to modification by the legislature.

#### APPOINTMENT, REMOVAL, TENURE, AND SALARIES OF OFFICERS.

Appointment of officers.

SEC. 80. That the President shall nominate and, by and with the advice and consent of the Senate, appoint the chief justice and justices of the supreme court, the judges of the circuit courts, who shall hold their respective offices for the term of four years, unless sooner removed by the President; and the governor shall nominate and, by and with the advice and consent of the senate of the Territory of Hawaii, appoint the attorney-general, treasurer, commissioner of public lands, commissioner of agriculture and forestry, superintendent of public works, superintendent of public instruction, auditor, deputy auditor, surveyor, high sheriff, members of the board of health, commissioners of public instruction, board of prison inspectors, board of registration and inspectors of election, and any other boards of a public character that may be created by law; and he may make such appointments when the senate is not in session by granting commissions, which shall, unless such appointments are confirmed, expire at the end of the next session of the senate. He may, by and with the advice and consent of the senate of the Territory of Hawaii, remove from office any of such officers. All such officers shall hold office for four years and until their successors are appointed and qualified, unless sooner removed, except the commissioners of public instruction and the members of said boards, whose terms of office shall be as provided by the laws of the Territory of Hawaii.

—removal.

Term of office.

Appointment, etc., of unspecified officers.

The manner of appointment and removal and the tenure of all other officers shall be as provided by law; and the governor may appoint or remove any officer whose appointment or removal is not otherwise provided for.

Salaries.

The salaries of all officers other than those appointed by the President shall be as provided by the legislature, but those of the chief justice and the justices of the supreme court and judges of the circuit courts shall not be diminished during their term of office.

All officers appointed under the provisions of this section shall be citizens of the Territory of Hawaii. Officers to be citizens.

All persons holding office in the Hawaiian Islands at the time this Act takes effect shall continue to hold their respective offices until their successors are appointed and qualified, but not beyond the end of the first session of the senate of the Territory of Hawaii unless reappointed as herein provided. Present incumbents to hold until successor appointed.

#### CHAPTER IV.

#### THE JUDICIARY.

SEC. 81. That the judicial power of the Territory shall be vested in one supreme court, circuit courts, and in such inferior courts as the legislature may from time to time establish. And until the legislature shall otherwise provide, the laws of Hawaii heretofore in force concerning the several courts and their jurisdiction and procedure shall continue in force except as herein otherwise provided. The judiciary.

#### SUPREME COURT.

SEC. 82. That the supreme court shall consist of a chief justice and two associate justices, who shall be citizens of the Territory of Hawaii and shall be appointed by the President of the United States, by and with the advice and consent of the Senate of the United States, and may be removed by the President: *Provided, however,* That in case of the disqualification or absence of any justice thereof, in any cause pending before the court, on the trial and determination of said cause his place shall be filled as provided by law. Supreme court.—of what to consist. Proviso. Absence of justices.

#### LAWS CONTINUED IN FORCE.

SEC. 83. That the laws of Hawaii relative to the judicial department, including civil and criminal procedure, except as amended by this Act, are continued in force, subject to modification by Congress, or the legislature. The provisions of said laws or any laws of the Republic of Hawaii which require juries to be composed of aliens or foreigners only, or to be constituted by impaneling natives of Hawaii only, in civil and criminal cases specified in said laws, are repealed, and all juries shall hereafter be constituted without reference to the race or place of nativity of the jurors; but no person who is not a male citizen of the United States and twenty-one years of age and who can not understandingly speak, read, and write the English language shall be a qualified juror or grand juror in the Territory of Hawaii. No person shall be convicted in any criminal case except by unanimous verdict of the jury. No plaintiff or defendant in any suit or proceeding in a court of the Territory of Hawaii shall be entitled to a trial by a jury impaneled exclusively from Laws continued in force. Juries.—repeal of certain provisions. —qualifications. —of one race only, etc.

—grand juries. persons of any race. Until otherwise provided by the legislature of the Territory, grand juries may be drawn in the manner provided by the Hawaiian statutes for drawing petty juries, and shall sit at such times as the circuit judges of the respective circuits shall direct; the number of grand jurors in each circuit shall be not less than thirteen, and the method of the presentation of cases to said grand jurors shall be prescribed by the supreme court of the Territory of Hawaii. The several circuit courts may subpoena witnesses to appear before the grand jury in like manner as they subpoena witnesses to appear before their respective courts.

DISQUALIFICATION BY RELATIONSHIP, PECUNIARY INTEREST, OR PREVIOUS JUDGMENT.

Disqualification of judge or jury.

SEC. 84. That no person shall sit as a judge or juror in any case in which his relative by affinity or by consanguinity within the third degree is interested, either as a plaintiff or defendant, or in the issue of which the said judge or juror may have, either directly or through such relative, any pecuniary interest. No judge shall sit on an appeal, or new trial, in any case, in which he may have given a previous judgment.

United States officers.

CHAPTER 5.—UNITED STATES OFFICERS.

DELEGATE TO CONGRESS.

Delegate to Congress.

SEC. 85. That a Delegate to the House of Representatives of the United States, to serve during each Congress, shall be elected by the voters qualified to vote for members of the house of representatives of the legislature; such Delegate shall possess the qualifications necessary for membership of the senate of the legislature of Hawaii. The times, places, and manner of holding elections shall be as fixed by law. The person having the greatest number of votes shall be declared by the governor duly elected, and a certificate shall be given accordingly. Every such Delegate shall have a seat in the House of Representatives, with the right of debate, but not of voting.

FEDERAL COURT.

Federal court.

Appointment of judge, etc.

SEC. 86. That there shall be established in said Territory a district court to consist of one judge, who shall reside therein and be called the district judge. The President of the United States, by and with the advice and consent of the Senate of the United States, shall appoint a district judge, a district attorney, and a marshal of the United States for the said district, and said judge, attorney, and marshal shall hold office for six years unless sooner removed by the President. Said court shall have, in addition to the ordinary jurisdiction of district courts of the United States, jurisdiction of all cases cognizable in a circuit court of the United States, and shall proceed

Jurisdiction.



therein in the same manner as a circuit court; and said judge, district attorney, and marshal shall have and exercise in the Territory of Hawaii all the powers conferred by the laws of the United States upon the judges, district attorneys, and marshals of district and circuit courts of the United States. Writs of error and appeals from said district court shall be had and allowed to the circuit court of appeals in the ninth judicial circuit in the same manner as writs of error and appeals are allowed from circuit courts to circuit courts of appeals as provided by law, and the laws of the United States relating to juries and jury trials shall be applicable to said district court. The laws of the United States relating to appeals, writs of error, removal of causes, and other matters and proceedings as between the courts of the United States and the courts of the several States shall govern in such matters and proceedings as between the courts of the United States and the courts of the Territory of Hawaii. Regular terms of said court shall be held at Honolulu on the second Monday in April and October and at Hilo on the last Wednesday in January of each year; and special terms may be held at such times and places in said district as the said judge may deem expedient. The said district judge shall appoint a clerk for said court at a salary of three thousand dollars per annum, and shall appoint a reporter of said court at a salary of twelve hundred dollars per annum.

Procedure,  
etc.

Terms of  
court.

Clerk.

Reporter.

#### INTERNAL-REVENUE DISTRICT.

SEC. 87. That the Territory of Hawaii shall constitute a district for the collection of the internal revenue of the United States, with a collector, whose office shall be at Honolulu, and deputy collectors at such other places in the several islands as the Secretary of the Treasury shall direct.

Internal-rev-  
enue district.

#### CUSTOMS DISTRICT.

SEC. 88. That the Territory of Hawaii shall comprise a customs district of the United States, with ports of entry and delivery at Honolulu, Hilo, Makuhona, and Kahului.

Customs dis-  
trict.

#### CHAPTER 6.—MISCELLANEOUS.

##### REVENUES FROM WHARVES.

SEC. 89. That until further provision is made by Congress the wharves and landings constructed or controlled by the Republic of Hawaii on any seacoast, bay, roadstead, or harbor shall remain under the control of the government of the Territory of Hawaii, which shall receive and enjoy all revenues derived therefrom, on condition that said property shall be kept in good condition for the use and convenience of commerce, but no tolls or charges shall be made by the government of the Territory of Hawaii for the use of any such property by the United States, or by any vessel

Revenues  
from wharves.

of war, tug, revenue cutter, or other boat or transport in the service of the United States.

Disposition of  
Hawaiian post-  
age stamps.

SEC. 90. That Hawaiian postage stamps, postal cards, and stamped envelopes at the post-offices of the Hawaiian Islands when this Act takes effect shall not be sold, but, together with those that shall thereafter be received at such offices as herein provided, shall be canceled under the direction of the Postmaster-General of the United States; those previously sold and uncanceled shall, if presented at such offices within six months after this Act takes effect, be received at their face value in exchange for postage stamps, postal cards, and stamped envelopes of the United States of the same aggregate face value and, so far as may be, of such denominations as desired.

Disposition of  
public property  
ceded to the  
United States.

SEC. 91. That the public property ceded and transferred to the United States by the Republic of Hawaii under the joint resolution of annexation, approved July seventh, eighteen hundred and ninety-eight, shall be and remain in the possession, use, and control of the government of the Territory of Hawaii, and shall be maintained, managed, and cared for by it, at its own expense, until otherwise provided for by Congress, or taken for the uses and purposes of the United States by direction of the President or of the governor of Hawaii. And all moneys in the Hawaiian treasury, and all the revenues and other property acquired by the Republic of Hawaii since said cession shall be and remain the property of the Territory of Hawaii.

Salaries of  
governor, etc.

SEC. 92. That the following officers shall receive the following annual salaries, to be paid by the United States: The governor, five thousand dollars; the secretary of the Territory, three thousand dollars; the chief justice of the supreme court of the Territory, five thousand five hundred dollars, and the associate justices of the supreme court, five thousand dollars each, and the judges of the circuit courts, three thousand dollars each. The salaries of the said chief justice and the associate justices of the supreme court, and the judges of the circuit courts as above provided shall be paid by the United States; the United States district judge, five thousand dollars; the United States marshal, two thousand five hundred dollars; the United States district attorney, three thousand dollars. And the governor shall receive annually, in addition to his salary, the sum of five hundred dollars for stationery, postage, and incidentals; also his traveling expenses while absent from the capital on official business, and the sum of two thousand dollars annually for his private secretary.

#### IMPORTS FROM HAWAII INTO THE UNITED STATES.

Imports from  
Hawaii into the  
United States.

SEC. 93. That imports from any of the Hawaiian Islands, into any State or any other Territory of the United States, of any dutiable articles not the growth, production, or manufacture of said islands, and imported into them from any foreign country after July seventh, eighteen hundred and ninety-eight, and before this Act takes effect, shall

pay the same duties that are imposed on the same articles when imported into the United States from any foreign country.

INVESTIGATION OF FISHERIES.

SEC. 94. That the Commissioner of Fish and Fisheries of the United States is empowered and required to examine into the entire subject of fisheries and the laws relating to the fishing rights in the Territory of Hawaii, and report to the President touching the same, and to recommend such changes in said laws as he shall see fit.

Investigation of fisheries.

REPEAL OF LAWS CONFERRING EXCLUSIVE FISHING RIGHTS.

SEC. 95. That all laws of the Republic of Hawaii which confer exclusive fishing rights upon any person or persons are hereby repealed, and all fisheries in the sea waters of the Territory of Hawaii not included in any fish pond or artificial inclosure shall be free to all citizens of the United States, subject, however, to vested rights; but no such vested right shall be valid after three years from the taking effect of this Act unless established as hereinafter provided.

Repeal of laws conferring exclusive fishing rights.

PROCEEDINGS FOR OPENING FISHERIES TO CITIZENS.

SEC. 96. That any person who claims a private right to any such fishery shall, within two years after the taking effect of this Act, file his petition in a circuit court of the Territory of Hawaii, setting forth his claim to such fishing right, service of which petition shall be made upon the attorney-general, who shall conduct the case for the Territory, and such case shall be conducted as an ordinary action at law.

Proceedings for opening fisheries to citizens.

That if such fishing right be established, the attorney-general of the Territory of Hawaii may proceed, in such manner as may be provided by law for the condemnation of property for public use, to condemn such private right of fishing to the use of the citizens of the United States upon making just compensation, which compensation, when lawfully ascertained, shall be paid out of any money in the treasury of the Territory of Hawaii not otherwise appropriated.

QUARANTINE.

SEC. 97. That quarantine stations shall be established at such places in the Territory of Hawaii as the Supervising Surgeon-General of the Marine-Hospital Service of the United States shall direct, and the quarantine regulations for said islands relating to the importation of diseases from other countries shall be under the control of the Government of the United States. The quarantine station and grounds at the harbor of Honolulu, together with all the public property belonging to that service, shall be transferred to the Marine-Hospital Service of the United

Quarantine. Stations, regulations, etc.

Honolulu station.

States, and said quarantine grounds shall continue to be so used and employed until the station is changed to other grounds which may be selected by order of the Secretary of the Treasury.

The health laws of the government of Hawaii relating to the harbor of Honolulu and other harbors and inlets from the sea and to the internal control of the health of the islands shall remain in the jurisdiction of the government of the Territory of Hawaii, subject to the quarantine laws and regulations of the United States.

American register for certain vessels.

SEC. 98. That all vessels carrying Hawaiian registers on the twelfth day of August, eighteen hundred and ninety-eight, and which were owned bona fide by citizens of the United States, or the citizens of Hawaii, together with the following-named vessels claiming Hawaiian register, *Star of France*, *Euterpe*, *Star of Russia*, *Falls of Clyde*, and *Wilscott*, shall be entitled to be registered as American vessels, with the benefits and privileges appertaining thereto, and the coasting trade between the islands aforesaid and any other portion of the United States, shall be regulated in accordance with the provisions of law applicable to such trade between any two great coasting districts.

Crown land free from trusts, etc.

SEC. 99. That the portion of the public domain heretofore known as Crown land is hereby declared to have been, on the twelfth day of August, eighteen hundred and ninety-eight, and prior thereto, the property of the Hawaiian government, and to be free and clear from any trust of or concerning the same, and from all claim of any nature whatsoever, upon the rents, issues, and profits thereof. It shall be subject to alienation and other uses as may be provided by law.

Naturalization.

SEC. 100. That for the purposes of naturalization under the laws of the United States residence in the Hawaiian Islands prior to the taking effect of this Act shall be deemed equivalent to residence in the United States and in the Territory of Hawaii, and the requirement of a previous declaration of intention to become a citizen of the United States and to renounce former allegiance shall not apply to persons who have resided in said islands at least five years prior to the taking effect of this Act; but all other provisions of the laws of the United States relating to naturalization shall, so far as applicable, apply to persons in the said islands.

Certificates of residence for Chinese.

SEC. 101. That Chinese in the Hawaiian Islands when this Act takes effect may within one year thereafter obtain certificates of residence as required by "An Act to prohibit the coming of Chinese persons into the United States," approved May fifth, eighteen hundred and ninety-two, as amended by an Act approved November third, eighteen hundred and ninety-three, entitled "An Act to amend an Act entitled 'An Act to prohibit the coming of Chinese persons into the United States,' approved May fifth, eighteen hundred and ninety-two," and until the expiration of said year shall not be deemed to be unlawfully in the United States if found therein without such

certificates: *Provided, however,* That no Chinese laborer, whether he shall hold such certificate or not, shall be allowed to enter any State, Territory, or District of the United States from the Hawaiian Islands.

*Proviso.*  
Chinese labor-  
ers denied en-  
trance into  
United States.

SEC. 102. That the laws of Hawaii relating to the establishment and conduct of any postal savings bank or institution are hereby abolished. And the Secretary of the Treasury, in the execution of the agreement of the United States as expressed in an Act entitled "Joint Resolution to provide for annexing the Hawaiian Islands to the United States," approved July seventh, eighteen hundred and ninety-eight, shall pay the amounts on deposit in the Hawaiian Postal Savings Bank to the persons entitled thereto, according to their respective rights, and he shall make all needful orders, rules, and regulations for paying such persons and for notifying such persons to present their demands for payment. So much money as is necessary to pay said demands is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be available on and after the first day of July, nineteen hundred, when such payments shall begin, and none of said demands shall bear interest after said date, and no deposit shall be made in said bank after said date. Said demands of such persons shall be certified to by the chief executive of Hawaii as being genuine and due to the persons presenting the same, and his certificate shall be sealed with the official seal of the Territory, and countersigned by its secretary, and shall be approved by the Secretary of the Interior, who shall draw his warrant for the amount due upon the Treasurer of the United States, and when the same are so paid no further liabilities shall exist in respect of the same against the governments of the United States or of Hawaii.

Hawaiian laws  
as to postal sav-  
ings banks abol-  
ished.  
Hawaiian Pos-  
tal Savings  
Bank.  
Payments to  
depositors au-  
thorized, etc.

SEC. 103. That any money of the Hawaiian Postal Savings Bank that shall remain unpaid to the persons entitled thereto on the first day of July, nineteen hundred and one, and any assets of said bank shall be turned over by the government of Hawaii to the Treasurer of the United States, and the Secretary of the Treasury shall cause an account to be stated, as of said date, between such government of Hawaii and the United States in respect to said Hawaiian Postal Savings Bank.

—surplus, etc.,  
to be paid into  
United States  
Treasury.

SEC. 104. This Act shall take effect forty-five days from and after the date of the approval thereof, excepting only as to section fifty-two, relating to appropriations, which shall take effect upon such approval.

Effect.

CHAP. 555. —An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and one.

May 25, 1900.  
[Public No. 121.]  
31 Stats. L., p.  
191.

\* \* \* \* \*

AGRICULTURAL EXPERIMENT STATIONS: \* \* \* And the Secretary of Agriculture is hereby authorized to expend ten thousand dollars of which sum to establish and main-



**Hawaiian Is-  
lands station.**

\* \* \* \*

# WEATHER BUREAU.

\* \* \* \* \*

## West Indies stations.

**Hawaiian Is-  
lands.**

For maintaining the Weather Bureau stations already established by the Secretary of Agriculture, or to be established by the Secretary of Agriculture, in the West Indies or on adjacent coasts, and for establishing and equipping meteorological stations in the Hawaiian Islands; for taking daily observations of meteorological phenomena; for collecting reports thereof by cable and otherwise; for disseminating information based thereon of the approach of tropical hurricanes and other storms, and for collecting and publishing such climatological data as may be of public benefit, including salaries of one professor of meteorology, at not exceeding three thousand dollars; one forecast official, at not exceeding two thousand dollars; section directors, observers, and other necessary employees (all for duty at the places named in this Act or at such points in the United States as the exigencies of the weather service may require); rents of offices; stationery, furniture, and instrumental supplies; traveling expenses; freight and express charges; cablegrams and telegrams, and all other necessary expenses, sixty thousand dollars.

\* \* \*

\* \* \* \* \*

May 28, 1900.

[Public, No. 126.]  
81 Stats. L., p.

Hawaii.  
Customs offi.

*Be it enacted by the Senate and House of Representatives*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be in the customs district of Hawaii one collector, who shall reside at Honolulu, and who shall receive a salary of four thousand dollars per annum, and such deputy collectors and other customs officers as the Secretary of the Treasury shall deem necessary.*

**June 8, 1900.**

[Public, No. 157.]  
31 Stats. L., p.  
280.

**CHAP. 785.** An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred, and for prior years, and for other purposes.

\* \* \* \* \*

**TREASURY DEPARTMENT.**

\* \* \* \* \*

**Quarantine  
service.**

**QUARANTINE SERVICE:** For the maintenance and ordinary expenses, including pay of officers and employees



of quarantine stations at \* \* \* and in \* \* \*  
Hawaii, thirty-five thousand dollars.

\* \* \* \* \*

DEPARTMENT OF JUSTICE.

\* \* \* \* \*

MISCELLANEOUS.

For the payment of the salary of the United States dis- Hawaii.  
District judge.  
trict judge for the Territory of Hawaii, two hundred and  
thirty-three dollars and fifty-two cents.

\* \* \* \* \*

For the payment of the salary of the clerk of the United Hawaii.  
Clerk, etc., dis-  
trict court.  
States district court of the Territory of Hawaii, one hun-  
dred and forty dollars and eleven cents.

For the payment of the salary of the reporter of the  
United States district court for the Territory of Hawaii,  
fifty-six dollars and four cents. \* \* \*

\* \* \* \* \*

CHAP. 791.—An Act Making appropriations for sundry civil June 6, 1900,  
[Public, No. 108.]  
81 Stats. L., p.  
588.  
expenses of the Government for the fiscal year ending June thirtieth,  
nineteen hundred and one, and for other purposes.

QUARANTINE SERVICE.

\* \* \* \* \*

For establishment and maintenance of quarantine serv- Hawaii.  
ice in the Territory of Hawaii under the provisions of sec-  
tion ninety-seven of an Act to provide a government for  
the Territory of Hawaii, approved April thirtieth, nine-  
teen hundred, seventy-five thousand dollars, to be imme-  
diately available.

\* \* \* \* \*

TERRITORY OF HAWAII.

For salaries, namely: Governor, five thousand dollars; Salaries.  
secretary, three thousand dollars; chief justice, five thou-  
sand five hundred dollars, and two associate justices, at  
five thousand dollars each; in all, twenty-three thousand  
five hundred dollars.

For judges of circuit courts, at three thousand dollars  
each, so much as may be necessary, and also for the re-  
mainder of the fiscal year nineteen hundred.

For contingent expenses of the Territory to be expended Contingent  
expenses.  
by the governor for stationery, postage, and incidentals,  
five hundred dollars, and for private secretary to the gov-  
ernor, two thousand dollars; for traveling expenses of the  
governor, while absent from the capital on official busi-  
ness, five hundred dollars, to be immediately available.

\* \* \* \* \*

## UNDER THE DEPARTMENT OF JUSTICE.

\* \* \* \*

## JUDICIAL.

## UNITED STATES COURTS.

\* \* \* \*

Additional  
judges, New  
York and Ha-  
waii.

For the payment of the salaries of an additional district judge in the State of New York and the United States district judge for the Territory of Hawaii, ten thousand dollars.

Clerk and re-  
porter, Hawaii.

For the payment of the salaries of the clerk and the reporter of the United States district court for the Territory of Hawaii, at three thousand dollars and one thousand two hundred dollars, respectively, four thousand two hundred dollars.

June 6, 1900.

[Public, No. 188.]  
31 Stats. L., p.  
682.

**CHAP. 816.**—An Act To provide an American register for the ships *Star of Italy* and *Star of Bengal*.

"Star of  
Italy" and  
"Star of Ben-  
gal" granted  
American regis-  
ters.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built ship *Star of Italy* and foreign-built ship *Star of Bengal*, owned by citizens of the United States or citizens of Hawaii, to be registered as vessels of the United States.*

\* \* \* \*

May 31, 1900.

[Pub. Res., No.  
28.]  
31 Stats. L., p.  
718.

[No. 28.] Joint Resolution Withdrawing certain lands on the island of Oahu, Hawaii, from the public domain.

Hawaiian Is-  
lands.  
Certain lands  
in Honolulu  
withdawn  
from public do-  
main.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands lying and being situate in the city of Honolulu, Hawaiian Islands, heretofore used as a mausoleum for the royal family of Hawaii, to wit: The mausoleum premises, beginning at the north corner of said lot, on the southeast side of Nuuanu street, the same being the west corner of L. C. A. six hundred and eighty-two, to M. Kekuanaoa, as shown on government survey's registered map numbered eight hundred and thirty-eight, and running by true bearings: South forty degrees twenty minutes east three hundred and ninety-six feet along L. C. A. six hundred and eighty-two, to Kekuanaoa; south twenty-five degrees twenty-eight minutes west two hundred and fifty-eight feet, to stone wall; north thirty-four degrees twenty-two minutes west seventy-two and nine-tenths feet, along L. C. A. ten thousand six hundred and five ap two, to Piikoi; north fifty-seven degrees fifteen minutes west one hundred and six feet along L. C. A. ten thousand six hundred and five ap two, to Piikoi; north sixty-two degrees ten minutes west two hundred and sixty-*

six and five-tenths feet along L. C. A. ten thousand six hundred and five ap two, to Piikoi, and L. C. A. seven hundred and eighty-five, to J. Robinson; north thirty-six degrees forty minutes east three hundred and sixty-seven feet along Nuuanu street to initial point; area, one hundred and nineteen thousand six hundred and ten square feet, be withdrawn from sale, lease, or other disposition under the public-land laws of the United States.

*Fifty-sixth Congress, second session.*

**CHAP. 373.**—An Act To extend the privileges provided by an Act entitled “An Act to amend the statutes in relation to the immediate transportation of dutiable goods, and for other purposes,” approved June tenth, eighteen hundred and eighty, as amended. February 15, 1901.  
[Public, No. 65.]  
81 Stats. L., p. 791.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the privileges of immediate transportation as provided by an Act entitled “An Act to amend the statutes in relation to the immediate transportation of dutiable goods, and for other purposes,” approved June tenth, eighteen hundred and eighty, as amended by an Act entitled “An Act to amend an Act entitled ‘An Act to amend the statutes in relation to the immediate transportation of dutiable goods, and for other purposes,’” approved February twenty-third, eighteen hundred and eighty-seven, be, and the same are hereby, extended to the port of Honolulu, Territory of Hawaii.* Honolulu, Hawaii.  
Immediate transportation privileges extended to.

**CHAP. 805.**—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and two. March 2, 1901.  
[Public, No. 120.]  
81 Stat. L., p. 922.

**WEATHER BUREAU.**

For maintaining the Weather Bureau stations already established by the Secretary of Agriculture, or to be established by the Secretary of Agriculture, in Bermuda, in the West Indies or on adjacent coasts, and for establishing and equipping meteorological stations in the Hawaiian Islands for taking daily observations of meteorological phenomena; for collecting reports thereof by cable and otherwise; for disseminating information based thereon of the approach of tropical hurricanes and other storms; and for collecting and publishing such climatological data as may be of public benefit, including salaries of one professor of meteorology, at not exceeding three thousand dollars; one forecast official, at not exceeding two thousand dollars; section directors, observers, and other necessary employees (all for duty at the places named in this Act or at such points in the United States as the exigencies of the weather service may require); rent of offices; West Indies stations.  
Hawaiian Islands.

stationery, furniture, and instrumental supplies; traveling expenses; freight and express charges; cablegrams and telegrams; and all other necessary expenses, sixty thousand dollars.

\* \* \* \*

MISCELLANEOUS.

\* \* \* \*

Hawaiian Islands station.

AGRICULTURAL EXPERIMENT STATIONS: \* \* \* And the Secretary of Agriculture is hereby authorized to expend twelve thousand dollars of which sum to establish and maintain an agricultural station in the Hawaiian Islands, including the erection of buildings, the printing (in the Hawaiian Islands), illustration, and distribution of reports and bulletins, and all other expenses essential to the maintenance of said station. \* \* \*

\* \* \* \*

March 8, 1901. CHAP. 830.—An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and two, and for other purposes.  
[Public, No. 135.]  
81 Stats. L., p. 900.

\* \* \* \*

TREASURY DEPARTMENT.

\* \* \* \*

GOVERNMENT IN THE TERRITORIES.

\* \* \* \*

Hawaii.

TERRITORY OF HAWAII: For governor, five thousand dollars; secretary, three thousand dollars; chief justice, five thousand five hundred dollars; and two associate justices, at five thousand dollars each; in all, twenty-three thousand five hundred dollars.  
For judges of circuit courts, at three thousand dollars each, so much as may be necessary for the fiscal year ending June thirtieth, nineteen hundred and two.  
For contingent expenses of the Territory of Hawaii, to be expended by the governor for stationery, postage, and incidentals, five hundred dollars, and for private secretary to the governor, two thousand dollars; for traveling expenses of the governor while absent from the capital on official business, five hundred dollars; in all, three thousand dollars.

\* \* \* \*

JUDICIAL.

\* \* \* \*

Hawaiian Territory court.

DISTRICT COURT, TERRITORY OF HAWAII: For the payment of the salaries of the clerk and the reporter of the United States district court for the Territory of Hawaii,

at three thousand dollars and one thousand two hundred dollars, respectively, four thousand two hundred dollars.  
\* \* \*

\* \* \* \* \*

CHAP. 831.—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and one, and for prior years, and for other purposes. March 3, 1901.  
[Public, No. 186.]  
81 Stat. L., p. 1010.

\* \* \* \* \*

# TREASURY DEPARTMENT.

REFUND OF FINE, SCHOONER ESTHER BUHNE: To refund to R. Salveson, master of the schooner Esther Buhne, the amount of a fine imposed by the collector of customs at Honolulu, Hawaii, for violation of section forty-three hundred and fifty, Revised Statutes, and section ninety-eight, Act of April thirty, nineteen hundred, since remitted by the Secretary of the Treasury, the original sum having been covered into the Treasury prior to the said remission, one hundred dollars. Refunds.  
Schooner Es-  
ther Buhne.

REFUND OF FINE, SCHOONER J. M. WEATHERWAX: To refund to L. Sorenson, master of the American schooner J. M. Weatherwax, the amount of a fine imposed by the collector of customs at Honolulu, Hawaii, for violation of section forty-three hundred and fifty, Revised Statutes, and section ninety-eight, Act of April thirtieth, nineteen hundred, since remitted by the Secretary of the Treasury, the original sum having been covered into the Treasury prior to the said remission, one hundred dollars. Schooner J. M.  
Weatherwax.

\* \* \* \* \*

# GOVERNMENT IN THE TERRITORIES.

For the payment of the salaries of the chief justice and two associate justices of the supreme court of the Territory of Hawaii, from June fifteen to June thirtieth, nineteen hundred, inclusive, six hundred and eighty-one dollars and thirty-two cents. Hawaii.  
\* \* \*

\* \* \* \* \*

CHAP. 853.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and two, and for other purposes. March 3, 1901.  
[Public, No. 153.]  
81 Stats. L., p. 1183

# MISCELLANEOUS OBJECTS UNDER THE TREASURY DEPARTMENT.

PAYMENT OF DEBT OF HAWAII: To carry into effect the agreement embodied in joint resolution "To provide for annexing the Hawaiian Islands," approved July seventh, eighteen hundred and ninety-eight, as follows: Hawaii.  
Appropriation  
for paying pub-  
lic debt of.

For payment of the public debt of the Republic of Hawaii lawfully existing at the date of the passage of said resolution, three million two hundred and thirty-five thou-

sand four hundred and twenty-nine dollars and sixty-nine cents; for payment of interest accruing thereon after June fifteenth, nineteen hundred, the date on which the Act to provide a government for the Territory of Hawaii went into effect, until paid, or so much thereof as may be necessary, two hundred and twenty-three thousand nine hundred and fifty-five dollars and forty-eight cents; for payment of commissions and all other expenses incurred in carrying into effect the terms of said resolution, or so much thereof as may be necessary, twenty thousand dollars; in all, three million four hundred and seventy-eight thousand three hundred and eighty-five dollars and seventeen cents, the same to be immediately available.

\* \* \* \* \*

QUARANTINE SERVICE.

Maintenance.	For the maintenance and ordinary expenses,	* * *
	quarantine system of the Hawaiian Islands,	* * *
	three hundred and ten thousand dollars.	* * *
		* * *

March 3, 1901.    **CHAP. 858.**—An Act To provide for subports of entry and delivery in the Territory of Hawaii.  
[Public, No. 163.]  
31 Stats. L., p. 1487.

Hawaii Territory.  
Secretary of Treasury to designate subports of entry, etc.  
Customs officers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* such places in the customs district of the Territory of Hawaii as the Secretary of the Treasury may from time to time designate shall be subports of entry and delivery, and customs officers shall be stationed at such subports with authority to enter and clear vessels, receive duties, fees, and other moneys, and perform such other services and receive such compensation as in the judgment of the Secretary of the Treasury the exigencies of commerce may require: *Provided, however, That* the Secretary of the Treasury be, and he is hereby, authorized and empowered to discontinue such subports of entry or delivery whenever in his judgment there is necessity for such action.

*Proviso.*  
Discontinuing subports.

*Fifty-seventh Congress, first session.*

February 19, 1902.    **CHAP. 24.**—An Act To provide an American register for the barkentine Hawaii.  
[Public, No. 15.]  
32 Stats. L., pt. 1, p. 35.

"Hawaii."  
American register to foreign-built barkentine.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That* the Secretary of the Treasury is hereby authorized and directed to cause the foreign-built barkentine Hawaii, owned by James Rolph, junior, of San Francisco, California, a citizen of the United States, to be registered as a vessel of the United States; and said vessel shall not engage in the coasting trade of the United States except between the Pacific coast and the Hawaiian Islands.

Coasting trade limited.



**CHAP. 594.**—An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes. April 28, 1902.  
[Public, No. 83.]  
32 Stats. L., pt. 1, p. 120.

\* \* \* \* \*

TREASURY DEPARTMENT.

\* \* \* \* \*

GOVERNMENT IN THE TERRITORIES.

\* \* \* \* \*

**TERRITORY OF HAWAII:** For governor, five thousand dollars; secretary, three thousand dollars; chief justice, five thousand five hundred dollars; and two associate justices, at five thousand dollars each; in all, twenty-three thousand five hundred dollars. Hawaii.  
For judges of circuit courts, at three thousand dollars each, so much as may be necessary for the fiscal year ending June thirtieth, nineteen hundred and three.  
For contingent expenses of the Territory of Hawaii, to be expended by the governor for stationery, postage, and incidentals, five hundred dollars, and for private secretary of the governor, two thousand dollars; for traveling expenses of the governor while absent from the capital on official business, five hundred dollars; in all, three thousand dollars.

\* \* \* \* \*

DEPARTMENT OF JUSTICE.

\* \* \* \* \*

JUDICIAL.

\* \* \* \* \*

**DISTRICT COURT, TERRITORY OF HAWAII:** For the payment of the salaries of the clerk and the reporter of the United States district court for the Territory of Hawaii, three thousand dollars and one thousand two hundred dollars, respectively, four thousand two hundred dollars. Hawaiian Territory court.

\* \*

\* \* \* \* \*

**CHAP. 817.**—An Act To apportion the term of office of senators elected at the first general election in the Territory of Hawaii. May 19, 1902.  
[Public, No. 118.]  
32 Stats. L., pt. 1, p. 200.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* several senators elected in the First, Second, Third, and Fourth senatorial districts at the first general election held in the Territory of Hawaii shall, except as hereinafter provided, each hold office for the term of four years from the date of such election. Hawaii.  
Term of office of senators, first election.

**SEC. 2.** That for the First senatorial district N. Russell and J. D. Paris shall each hold office as a senator for such district for the term of two years. First district.

**Second dis-**  
**trict.**

**Third district.**

**Fourth dis-**  
**trict.**

**June 8, 1902.**

**CHAP. 985.**—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and three.

\* \* \* \* \*

\* \* \* \* \*

### Maintenance of stations.

**Hurricanes,  
etc.**

### Salaries.

### Rent, etc.

\* \* \* \* \*

**AGRICULTURAL EXPERIMENT STATIONS: \* \* \*** And the Secretary of Agriculture is hereby authorized to expend twelve thousand dollars of which sum to establish and maintain an agricultural station in the Hawaiian Islands, including the erection of buildings, the printing (in

the Hawaiian Islands), illustration, and distribution of reports and bulletins, and all other expenses essential to the maintenance of said station. \* \* \* and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, and Porto Rico, and to apply the moneys received from the sale of such products to the maintenance of said stations; in all, seven hundred and ninety-six thousand dollars. \* \* \*

\* \* \* \* \*

**CHAP. 1086.**—An Act To increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes. June 6, 1902.  
[Public, No. 146.]  
32 Stats. L., pt. 1, p. 810.

\* \* \* \* \*

**SEC. 22.** \* \* \* and the Secretary of the Treasury is hereby directed to investigate the postal situation at Honolulu and Hilo, Territory of Hawaii. \* \* \*

\* \* \* \* \*

**CHAP. 1301.**—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes. June 28, 1902.  
[Public, No. 182.]  
32 Stats. L., pt. 1, p. 419.

\* \* \* \* \*

## UNDER THE TREASURY DEPARTMENT.

\* \* \* \* \*

### QUARANTINE SERVICE.

For the maintenance and ordinary expenses, \* \* \* Maintenance.  
quarantine system of the Hawaiian Islands, \* \* \*  
three hundred and twenty-five thousand dollars.

\* \* \* \* \*

## *Fifty-seventh Congress, second session.*

**CHAP. 186.**—An Act Relating to Hawaiian silver coinage and silver certificates. January 14, 1903.  
[Public, No. 25.]  
32 Stats. L., pt. 1, p. 770.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the silver coins that were coined under the laws of Hawaii, when the same are not mutilated or abraded below the standard of circulation, shall be received at the par of their face value in payment of all dues to the government of the Territory of Hawaii and of the United States, and the same shall not again be put into circulation, but they shall be recoinced in the mints as United States coins. Hawaiian silver coins.  
Receivable for government dues.

To be recoin-  
ed into United  
States subsidi-  
ary coins.

Expense of  
transportation.

Exchange for  
United States  
coins.

Payment for  
mutilated coins.

To be legal  
tender until  
January 1, 1904.

Redemption of  
silver certifi-  
cates.

Limitation of  
United States  
liability.

Appropriation  
for transport-  
ing coins.

SEC. 2. That when such coins have been received by either Government they shall be transmitted to the mint at San Francisco, in sums of not less than five hundred dollars, to be recoin- ed into subsidiary silver coins of the United States, the expense of transportation to be paid by the United States.

SEC. 3. That any collector of customs or of internal revenue of the United States in the Hawaiian Islands shall, if he is so directed by the Secretary of the Treasury, exchange standard silver coins of the United States that are in his custody as such collector with the government of Hawaii, or with any person desiring to make such exchange, for coins of the government of Hawaii, at their face value when the same are not abraded below the lawful standard of circulation, and the Treasurer of the United States, under the direction of the Secretary of the Treasury, is authorized to deposit such silver coins of the United States as shall be necessary with the collector of customs or of internal revenue at Honolulu or at any Government depository for the purpose of making such exchange under such regulations as he may prescribe.

SEC. 4. That any silver coins struck by the government of Hawaii that are mutilated or abraded below such standard may be presented for recoinage at any mint in the United States by the person owning the same, or his or her agents, in sums of not less than fifty dollars, and such owner shall be paid for such coins by the superintendent of the mint the bullion value per troy ounce of the fine silver they contain in standard silver coin of the United States, and such bullion shall be coined into subsidiary coinage of the United States.

SEC. 5. That silver coins heretofore struck by the government of Hawaii shall continue to be legal tender for debts in the Territory of Hawaii, in accordance with the laws of the Republic of Hawaii, until the first day of January, nineteen hundred and four, and not afterwards.

SEC. 6. That any silver certificates heretofore issued by the government of the Hawaiian Islands, intended to be circulated as money, shall be redeemed by the Territorial government of Hawaii on or before the first day of January, nineteen hundred and five, and after said date it shall be unlawful to circulate the same as money.

SEC. 7. That nothing in this Act contained shall bind the United States to redeem any silver certificates issued by the government of Hawaii, or any silver coin issued by such government, except in the manner and upon the conditions stated in this Act for the recoinage of Hawaiian silver.

SEC. 8. That the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated, from any moneys in the Treasury of the United States not otherwise appropriated, for the payment of the expenses of transporting said coins from the Hawaiian Islands to the mint at San Francisco, and a return of a like amount in the subsidiary coins of the United States to the Hawaiian Islands.

**CHAP. 332.**—An Act To pay in part judgments rendered under an act of the legislative assembly of the Territory of Hawaii for property destroyed in suppressing the bubonic plague in said Territory in eighteen hundred and ninety-nine and nineteen hundred, and authorizing the Territory of Hawaii to issue bonds for the payment of the remaining claims. January 26, 1903.  
[Public, No. 35.]  
32 Stats. L., pt.  
1, p. 780.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* the sum of one million dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay in part the judgments rendered under an act of the legislative assembly of the Territory of Hawaii by the fire claims commission of that Territory for property destroyed in the suppression of the bubonic plague in said Territory in the years eighteen hundred and ninety-nine and nineteen hundred. Hawaii.  
Bubonic  
plague judg-  
ments.  
Appropriation  
to pay part of.

**SEC. 2.** That the governor and secretary of said Territory are hereby authorized to issue the bonds of that Territory in such sum, not exceeding five hundred thousand dollars, as, together with the money hereby appropriated, may be sufficient to pay all of said judgments. Said bonds shall be payable in gold coin of the United States of America of the present standard weight and fineness, shall bear interest at the rate of four per centum per annum, payable semiannually, and be redeemable in not less than five years and payable in not more than fifteen years from the date of issuance. The principal and interest of all bonds shall be exempt from any and all taxes, and the payment thereof shall constitute a charge on the revenues of the Territory of Hawaii. Said bonds shall be sold at not less than their face value, and the proceeds thereof shall be applied to the payment of the judgments aforesaid and to no other purpose, and they shall be of such form and denominations and be issued and sold under such rules and regulations as the Secretary of the Interior shall prescribe. Bond issue for  
balance.  
  
Bonds exempt  
from taxation.

**SEC. 3.** That under no circumstances shall any such judgment claimant, or anyone claiming through him, be required to pay, nor shall any attorney or agent be entitled to charge, demand, or receive, directly or indirectly, more than ten per centum upon the amount recovered as compensation for services or labor of any kind or character in the prosecution or establishment of the claim, and in cases of contracts or agreements providing for payment of less than ten per centum the payment shall not be increased above the percentage so agreed upon. Before any such judgment shall be paid hereunder the governor of said Territory must certify that the same is genuine and was duly rendered in pursuance of the act of the legislative assembly of the Territory; and the payment of said judgments shall be in full satisfaction and discharge of any and all claims or demands against said Territory or the United States on account of any property destroyed in the said suppression of the bubonic plague. Attorney's  
fees, etc., lim-  
ited.  
  
Proof.  
  
Payments.

**SEC. 4.** That this Act shall take effect from and after its passage. Effect.

February 25, 1903. **CHAP. 755.**—An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and four, and for other purposes.  
[Public, No. 115.]  
32 Stats. L., pt. 1, p. 854.

\* \* \* \* \*

TREASURY DEPARTMENT.

\* \* \* \* \*

GOVERNMENT IN THE TERRITORIES.

\* \* \* \* \*

Hawaii.

**TERRITORY OF HAWAII:** For governor, five thousand dollars; secretary, three thousand dollars; chief justice, five thousand five hundred dollars; and two associate justices, at five thousand dollars each; in all, twenty-three thousand five hundred dollars.

For judges of circuit courts, at three thousand dollars each, so much as may be necessary for the fiscal year ending June thirtieth, nineteen hundred and four.

For contingent expenses of the Territory of Hawaii, to be expended by the governor for stationery, postage, and incidentals, five hundred dollars, and for private secretary to the governor, two thousand dollars; for traveling expenses of the governor while absent from the capital on official business, five hundred dollars; in all, three thousand dollars.

\* \* \* \* \*

DEPARTMENT OF JUSTICE.

\* \* \* \* \*

JUDICIAL.

\* \* \* \* \*

Hawaiian Territory courts.

**DISTRICT COURT, TERRITORY OF HAWAII:** For the payment of the salaries of the clerk and the reporter of the United States district court for the Territory of Hawaii, at three thousand dollars and one thousand two hundred dollars, respectively, four thousand two hundred dollars.

\* \* \* \* \*

March 3, 1903. **CHAP. 1007.**—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and four, and for other purposes.  
[Public, No. 157.]  
32 Stats. L., pt. 1, p. 1083.

\* \* \* \* \*

UNDER THE TREASURY DEPARTMENT.

PUBLIC BUILDINGS.

\* \* \* \* \*

Honolulu, Hawaii.  
Immigrant station.

For the complete establishment of an immigration station and the erection of necessary buildings at Honolulu, Hawaii, on land owned by the United States, adjoining



wharf known as Channel Wharf, and for each and every purpose connected therewith and necessary to complete said station in all of its details within the sum hereby appropriated, thirty thousand dollars.

\* \* \* \* \*

QUARANTINE STATIONS.

\* \* \* \* \*

For construction of wharf at United States quarantine station, Honolulu, Hawaii, fifty-five thousand dollars; for a runway to connect wharf with the island, ten thousand dollars; for retaining wall around the island, ten thousand dollars; for laundry plant, five thousand dollars; in all, eighty thousand dollars, which sum shall be expended in such manner and under such plans as will complete in every detail each and every object mentioned in this paragraph.

\* \* \* \* \*

QUARANTINE SERVICE.

For the maintenance and ordinary expenses, including pay of officers and employees of quarantine stations at quarantine system of the Hawaiian Islands, three hundred and twenty-five thousand dollars.

\* \* \* \* \*

CHAP. 1008.—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and four.

March 3, 1908.  
[Public, No. 158.]  
32 Stats. L., pt. 1, p. 1147.

\* \* \* \* \*

DEPARTMENT OF AGRICULTURE.

\* \* \* \* \*

WEATHER BUREAU.

\* \* \* \* \*

SALARIES, WEATHER BUREAU: Outside of the city of Washington: Professors of meteorology, inspectors, district forecasters, local forecasters, section directors, observers, assistant observers, operators, repairmen, station agents, messengers, messenger boys, laborers, and other necessary employees, for duty in the United States, in the West Indies or on adjacent coasts, in the Hawaiian Islands, and in Bermuda, who, without additional expense to the Government, may hereafter, in the discretion of the Secretary of Agriculture, be granted leaves of absence not to exceed thirty days in any one year, four hundred and seventy-two thousand three hundred dollars.

Inspectors, officials, etc., outside of Washington.

Leaves of absence.

GENERAL EXPENSES, WEATHER BUREAU: Every expenditure requisite for and incident to the establishment, equipment, and maintenance of meteorological observation stations in the United States, in the West Indies or

General expenses, maintenance.

Supplies. on adjacent coasts, in the Hawaiian Islands, and in Ber-  
muda, including the purchase of scientific and other  
publications, stationery, furniture, instruments, storm-  
warning towers, and all other necessary supplies and  
materials; for rents of offices; for traveling expenses; for  
Rents. freight and express charges; for telegraphing, telephon-  
Telegraphing, ing, or cabling reports and messages, rates to be fixed by  
etc. the Secretary of Agriculture by agreement with the com-  
panies performing the service; for maintenance and repair  
of seacoast telegraph, telephone, and cable lines; for in-  
vestigations on climatology; for experiments in wireless  
elegraphy; for river observations and reports; for rain-  
observations and reports; for snow observations and re-  
ports; for ice observations and reports; for crop observa-  
tions and reports; for aerial observations and reports; for  
storm and other warnings and reports; for hurricane ob-  
servations and reports, including pay of special observers  
and displaymen, none of whom shall receive more than  
Printing- twenty-five dollars per month; and for the maintenance  
office. of a printing office in the city of Washington, including  
the purchase of necessary supplies and materials for print-  
ing weather maps, bulletins, circulars, forms, monthly  
reviews, and other publications, and for pay of assistant  
foremen, proofreaders, compositors, pressmen, lithograph-  
ers, and folders and feeders, four hundred and ninety-six  
thousand seven hundred and eighty dollars.  
\* \* \* \*

MISCELLANEOUS.

AGRICULTURAL EXPERIMENT STATIONS: \* \* \*

\* \* \* \* \*  
Agricultural And the Secretary of Agriculture is hereby authorized  
stations. to expend fifteen thousand dollars of which sum to estab-  
Hawaii. lish and maintain an agricultural station in the Hawaiian  
Islands, including the erection of buildings, the printing  
(in the Hawaiian Islands), illustration, and distribution  
of reports and bulletins, and all other expenses essential  
to the maintenance of said station. \* \* \* and the  
Sale of prod- Secretary of Agriculture is authorized to sell such prod-  
ucts. ucts as are obtained on the land belonging to the agricul-  
tural experiment stations in Alaska, Hawaii, and Porto  
Rico, and to apply the moneys received from the sale of  
such products to the maintenance of said stations; in all,  
eight hundred and ten thousand dollars: \* \* \*  
\* \* \* \*

## PORTO RICO.

*Fifty-fifth Congress, second session.*

**CHAP. 456.**—An Act To provide an American register for the steamer Arkadia. June 16, 1898.  
[Public, No. 188.]  
30 Stats. L., p. 473.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to cause the foreign-built steamer Arkadia, owned by the New York and Porto Rico Steamship Company, incorporated under the laws of the State of New York, to be registered as a vessel of the United States: Provided, That the said steamship shall not engage in the coastwise trade of the United States, but shall not be excluded from that between this country and Porto Rico.* Steamer "Arkadia."  
Granted American register.  
Proviso.  
Coastwise trade.

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*Fifty-sixth Congress, first session.*

**CHAP. 91.**—An Act Appropriating, for the benefit and government of Porto Rico, revenues collected on importations therefrom since its evacuation by Spain, and revenues hereafter collected on such importations under existing law. March 24, 1900.  
[Public, No. 44.]  
31 Stats. L., p. 51.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of two million and ninety-five thousand four hundred and fifty-five dollars and eighty-eight cents, being the amount of customs revenue received on importations by the United States from Porto Rico since the evacuation of Porto Rico by the Spanish forces on the eighteenth of October, eighteen hundred and ninety-eight, to the first of January, nineteen hundred, together with any further customs revenue collected on importations from Porto Rico since the first of January, nineteen hundred, or that shall hereafter be collected under existing law, shall be placed at the disposal of the President, to be used for the government now existing and which may hereafter be established in Porto Rico, and for the aid and relief of the people thereof, and for public education, public works, and other governmental and public purposes therein until otherwise provided by law; and the revenues herein referred to, already collected and to be collected under existing law, are hereby appropriated for the purposes herein specified, out of any moneys in the Treasury not otherwise appropriated.* Porto Rico.  
Customs revenue available for existing government, etc.

April 12, 1900.

[Public, No. 69.]  
31 Stats. L., p.  
77.**CHAP. 191.**—An Act Temporarily to provide revenues and a civil government for Porto Rico, and for other purposes.Porto Rico.  
Provisions for  
civil govern-  
ment, etc.  
Scope of act.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of this Act shall apply to the island of Porto Rico and to the adjacent islands and waters of the islands lying east of the seventy-fourth meridian of longitude west of Greenwich, which were ceded to the United States by the Government of Spain by treaty entered into on the tenth day of December, eighteen hundred and ninety-eight; and the name Porto Rico, as used in this Act, shall be held to include not only the island of that name, but all the adjacent islands as aforesaid.

Tariff on for-  
eign imports.

**SEC. 2.** That on and after the passage of this Act the same tariffs, customs, and duties shall be levied, collected, and paid upon all articles imported into Porto Rico from ports other than those of the United States which are required by law to be collected upon articles imported into the United States from foreign countries: *Provided*, That on all coffee in the bean or ground imported into Porto Rico there shall be levied and collected a duty of five cents per pound, any law or part of law to the contrary notwithstanding: *And provided further*, That all Spanish scientific, literary, and artistic works, not subversive of public order in Porto Rico, shall be admitted free of duty into Porto Rico for a period of ten years, reckoning from the eleventh day of April, eighteen hundred and ninety-nine, as provided in said treaty of peace between the United States and Spain: *And provided further*, That all books and pamphlets printed in the English language shall be admitted into Porto Rico free of duty when imported from the United States.

Provisos.  
—coffee.Spanish books  
admitted free.English books  
from the United  
States.Tariff as be-  
tween the  
United States  
and Porto Rico.—on Porto  
Rican manufac-  
tures.—United States  
manufactures.

**SEC. 3.** That on and after the passage of this Act all merchandise coming into the United States from Porto Rico and coming into Porto Rico from the United States shall be entered at the several ports of entry upon payment of fifteen per centum of the duties which are required to be levied, collected, and paid upon like articles of merchandise imported from foreign countries; and in addition thereto upon articles of merchandise of Porto Rican manufacture coming into the United States and withdrawn for consumption or sale upon payment of a tax equal to the internal-revenue tax imposed in the United States upon the like articles of merchandise of domestic manufacture; such tax to be paid by internal-revenue stamp or stamps to be purchased and provided by the Commissioner of Internal Revenue and to be procured from the collector of internal revenue at or most convenient to the port of entry of said merchandise in the United States, and to be affixed under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe; and on all articles of merchandise of United States manufacture coming into Porto Rico in addition to the duty above provided upon payment of a tax equal in rate and

amount to the internal-revenue tax imposed in Porto Rico upon the like articles of Porto Rican manufacture: *Provided*, That on and after the date when this Act shall take effect, all merchandise and articles, except coffee, not dutiable under the tariff laws of the United States, and all merchandise and articles entered in Porto Rico free of duty under orders heretofore made by the Secretary of War, shall be admitted into the several ports thereof, when imported from the United States, free of duty, all laws or parts of laws to the contrary notwithstanding; and whenever the legislative assembly of Porto Rico shall have enacted and put into operation a system of local taxation to meet the necessities of the government of Porto Rico, by this Act established, and shall by resolution duly passed so notify the President, he shall make proclamation thereof, and thereupon all tariff duties on merchandise and articles going into Porto Rico from the United States or coming into the United States from Porto Rico shall cease, and from and after such date all such merchandise and articles shall be entered at the several ports of entry free of duty; and in no event shall any duties be collected after the first day of March, nineteen hundred and two, on merchandise and articles going into Porto Rico from the United States or coming into the United States from Porto Rico.

*Proviso.*  
Admission free of merchandise not dutiable in the United States.

Duties to cease when system of local taxation established, etc.

No duties after March 1, 1902.

SEC. 4. That the duties and taxes collected in Porto Rico in pursuance of this Act, less the cost of collecting the same, and the gross amount of all collections of duties and taxes in the United States upon articles of merchandise coming from Porto Rico, shall not be covered into the general fund of the Treasury, but shall be held as a separate fund, and shall be placed at the disposal of the President to be used for the government and benefit of Porto Rico until the government of Porto Rico herein provided for shall have been organized, when all moneys theretofore collected under the provisions hereof, then unexpended, shall be transferred to the local treasury of Porto Rico, and the Secretary of the Treasury shall designate the several ports and subports of entry in Porto Rico and shall make such rules and regulations and appoint such agents as may be necessary to collect the duties and taxes authorized to be levied, collected, and paid in Porto Rico by the provisions of this Act, and he shall fix the compensation and provide for the payment thereof of all such officers, agents, and assistants as he may find it necessary to employ to carry out the provisions hereof: *Provided, however*, That as soon as a civil government for Porto Rico shall have been organized in accordance with the provisions of this Act and notice thereof shall have been given to the President he shall make proclamation thereof, and thereafter all collections of duties and taxes in Porto Rico under the provisions of this Act shall be paid into the treasury of Porto Rico, to be expended as required by law for the government and benefit thereof instead of being paid into the Treasury of the United States.

Duties, etc., to constitute separate fund in Treasury for benefit of Porto Rico.

Secretary of Treasury to designate ports of entry and to make rules and regulations.

*Proviso.*  
Duties to be paid into Porto Rican treasury when civil government established.

Duties on entry or withdrawal of merchandise imported from Porto Rico prior to this act, etc.

*Proviso.*  
—duties based on weight.

SEC. 5. That on and after the day when this Act shall go into effect all goods, wares, and merchandise previously imported from Porto Rico, for which no entry has been made, and all goods, wares, and merchandise previously entered without payment of duty and under bond for warehousing, transportation, or any other purpose, for which no permit of delivery to the importer or his agent has been issued, shall be subjected to the duties imposed by this Act, and to no other duty, upon the entry or the withdrawal thereof: *Provided*, That when duties are based upon the weight of merchandise deposited in any public or private bonded warehouse said duties shall be levied and collected upon the weight of such merchandise at the time of its entry.

#### GENERAL PROVISIONS.

Capital.

SEC. 6. That the capital of Porto Rico shall be at the city of San Juan and the seat of government shall be maintained there.

Spanish subjects deemed citizens of Porto Rico, etc.

SEC. 7. That all inhabitants continuing to reside therein who were Spanish subjects on the eleventh day of April, eighteen hundred and ninety-nine, and then resided in Porto Rico, and their children born subsequent thereto, shall be deemed and held to be citizens of Porto Rico, and as such entitled to the protection of the United States, except such as shall have elected to preserve their allegiance to the Crown of Spain on or before the eleventh day of April, nineteen hundred, in accordance with the provisions of the treaty of peace between the United States and Spain entered into on the eleventh day of April, eighteen hundred and ninety-nine; and they, together with such citizens of the United States as may reside in Porto Rico, shall constitute a body politic under the name of The People of Porto Rico, with governmental powers as hereinafter conferred, and with power to sue and be sued as such.

—to constitute body politic, etc.

Existing laws continued.  
—except.

SEC. 8. That the laws and ordinances of Porto Rico now in force shall continue in full force and effect, except as altered, amended, or modified hereinafter, or as altered or modified by military orders and decrees in force when this Act shall take effect, and so far as the same are not inconsistent or in conflict with the statutory laws of the United States not locally inapplicable, or the provisions hereof, until altered, amended, or repealed by the legislative authority hereinafter provided for Porto Rico or by Act of Congress of the United States: *Provided*, That so much of the law which was in force at the time of cession, April eleventh, eighteen hundred and ninety-nine, forbidding the marriage of priests, ministers, or followers of any faith because of vows they may have taken, being paragraph four, article eighty-three, chapter three, civil code, and which was continued by the order of the secretary of justice of Porto Rico, dated March seventeenth, eighteen hundred and ninety-nine, and promulgated by Major-General Guy V. Henry, United States Volunteers, is

*Provisos.*  
—marriage of priests, etc.



hereby repealed and annulled, and all persons lawfully married in Porto Rico shall have all the rights and remedies conferred by law upon parties to either civil or religious marriages: *And provided further*, That paragraph one, article one hundred and five, section four, divorce, civil code, and paragraph two, section nineteen, of the order of the minister of justice of Porto Rico, dated March seventeenth, eighteen hundred and ninety-nine, and promulgated by Major-General Guy V. Henry, United States Volunteers, be, and the same hereby are, so amended as to read: "Adultery on the part of either the husband or the wife." —adultery, etc.

SEC. 9. That the Commissioner of Navigation shall make such regulations, subject to the approval of the Secretary of the Treasury, as he may deem expedient for the nationalization of all vessels owned by the inhabitants of Porto Rico on the eleventh day of April, eighteen hundred and ninety-nine, and which continued to be so owned up to the date of such nationalization, and for the admission of the same to all the benefits of the coasting trade of the United States; and the coasting trade between Porto Rico and the United States shall be regulated in accordance with the provisions of law applicable to such trade between any two great coasting districts of the United States. Nationalization of Porto Rican vessels.

SEC. 10. That quarantine stations shall be established at such places in Porto Rico as the Supervising Surgeon-General of the Marine-Hospital Service of the United States shall direct, and the quarantine regulations relating to the importation of diseases from other countries shall be under the control of the Government of the United States. Quarantine stations. —regulations.

SEC. 11. That for the purpose of retiring the Porto Rican coins now in circulation in Porto Rico and substituting therefor the coins of the United States, the Secretary of the Treasury is hereby authorized to redeem, on presentation in Porto Rico, all the silver coins of Porto Rico known as the peso and all other silver and copper Porto Rican coins now in circulation in Porto Rico, not including any such coins that may be imported into Porto Rico after the first day of February, nineteen hundred, at the present established rate of sixty cents in the coins of the United States for one peso of Porto Rican coin, and for all minor or subsidiary coins the same rate of exchange shall be applied. The Porto Rican coins so purchased or redeemed shall be recoined at the expense of the United States, under the direction of the Secretary of the Treasury, into such coins of the United States now authorized by law as he may direct, and from and after three months after the date when this Act shall take effect no coins shall be a legal tender, in payment of debts thereafter contracted, for any amount in Porto Rico, except those of the United States; and whatever sum may be required to carry out the provisions hereof, and to pay all expenses that may be incurred in connection therewith, is hereby appropriated, and the Secretary of the Treasury is hereby authorized to establish such regulations and employ such agencies as Redemption of Porto Rican coins. —recoinage. Legal tender. Appropriation. Regulations.

*Proviso.*  
*Existing*  
*debts; in what*  
*payable.*

may be necessary to accomplish the purposes hereof: *Provided, however,* That all debts owing on the date when this Act shall take effect shall be payable in the coins of Porto Rico now in circulation, or in the coins of the United States at the rate of exchange above named.

*Expenses pay-*  
*able from Porto*  
*Rican revenues.*

SEC. 12. That all expenses that may be incurred on account of the government of Porto Rico for salaries of officials and the conduct of their offices and departments, and all expenses and obligations contracted for the internal improvement or development of the island, not, however, including defenses, barracks, harbors, light-houses, buoys, and other works undertaken by the United States, shall be paid by the treasurer of Porto Rico out of the revenues in his custody.

*Property in*  
*bridges, unnavi-*  
*gable streams,*  
*etc., acquired*  
*under treaty of*  
*peace placed un-*  
*der government*  
*of Porto Rico,*  
*etc.*

SEC. 13. That all property which may have been acquired in Porto Rico by the United States under the cession of Spain in said treaty of peace in any public bridges, road houses, water powers, highways, unnavigable streams, and the beds thereof, subterranean waters, mines, or minerals under the surface of private lands, and all property which at the time of the cession belonged, under the laws of Spain then in force, to the various harbor-works boards of Porto Rico, and all the harbor shores, docks, slips, and reclaimed lands, but not including harbor areas or navigable waters, is hereby placed under the control of the government established by this Act to be administered for the benefit of the people of Porto Rico; and the legislative assembly hereby created shall have authority, subject to the limitations imposed upon all its acts, to legislate with respect to all such matters as it may deem advisable.

*Federal laws*  
*applicable.*

SEC. 14. That the statutory laws of the United States not locally inapplicable, except as hereinbefore or hereinafter otherwise provided, shall have the same force and effect in Porto Rico as in the United States, except the internal-revenue laws, which, in view of the provisions of section three, shall not have force and effect in Porto Rico.

*Legislature*  
*may repeal, etc.,*  
*laws continued*  
*in force.*

SEC. 15. That the legislative authority hereinafter provided shall have power by due enactment to amend, alter, modify, or repeal any law or ordinance, civil or criminal, continued in force by this Act, as it may from time to time see fit.

*Judicial proc-*  
*ess.*

SEC. 16. That all judicial process shall run in the name of "United States of America, ss: the President of the United States," and all criminal or penal prosecutions in the local courts shall be conducted in the name and by the authority of "The people of Porto Rico;" and all officials authorized by this Act shall before entering upon the duties of their respective offices take an oath to support the Constitution of the United States and the laws of Porto Rico.

*Oath.*

#### THE GOVERNOR.

*Title.*  
*Appointment.*

SEC. 17. That the official title of the chief executive officer shall be "The Governor of Porto Rico." He shall be ap-

pointed by the President, by and with the advice and consent of the Senate; he shall hold his office for a term of **four years** and until his successor is chosen and qualified unless sooner removed by the President; he shall reside in Porto Rico during his official incumbency, and shall maintain his office at the seat of government; he may grant pardons and reprieves, and remit fines and forfeitures for offenses against the laws of Porto Rico, and respites for offenses against the laws of the United States, until the decision of the President can be ascertained; he shall commission all officers that he may be authorized to appoint, and may veto any legislation enacted, as hereinafter provided; he shall be the commander in chief of the militia, and shall at all times faithfully execute the laws, and he shall in that behalf have all the powers of governors of the Territories of the United States that are not locally inapplicable; and he shall annually, and at such other times as he may be required, make official report of the transactions of the government in Porto Rico, through the Secretary of State, to the President of the United States: *Provided*, That the President may, in his discretion, delegate and assign to him such executive duties and functions as may in pursuance with law be so delegated and assigned.

Term of office.

Location of office.

Powers.

Report.

*Proviso.*  
Duties which may be assigned him.

#### THE EXECUTIVE COUNCIL.

SEC. 18. That there shall be appointed by the President, by and with the advice and consent of the Senate, for the period of four years, unless sooner removed by the President, a secretary, an attorney-general, a treasurer, an auditor, a commissioner of the interior, and a commissioner of education, each of whom shall reside in Porto Rico during his official incumbency and have the powers and duties hereinafter provided for them, respectively, and who, together with five other persons of good repute, to be also appointed by the President for a like term of four years, by and with the advice and consent of the Senate, shall constitute an executive council, at least five of whom shall be native inhabitants of Porto Rico, and, in addition to the legislative duties hereinafter imposed upon them as a body, shall exercise such powers and perform such duties as are hereinafter provided for them, respectively, and who shall have power to employ all necessary deputies and assistants for the proper discharge of their duties as such officials and as such executive council.

Appointment of officials, etc., who shall constitute the executive council.

—duties.

SEC. 19. That the secretary shall record and preserve minutes of the proceedings of the executive council and the laws enacted by the legislative assembly and all acts and proceedings of the governor, and shall promulgate all proclamations and orders of the governor and all laws enacted by the legislative assembly. He shall, within sixty days after the end of each session of the legislative assembly, transmit to the President, the President of the Senate, the Speaker of the House of Representatives, and the Secretary of State of the United States one copy each of the laws and journals of such session.

Secretary; duties of, etc.

--to act in absence of governor.

SEC. 20. That in case of the death, removal, resignation, or disability of the governor, or his temporary absence from Porto Rico, the secretary shall exercise all the powers and perform all the duties of the governor during such vacancy, disability, or absence.

Attorney-general.

SEC. 21. That the attorney-general shall have all the powers and discharge all the duties provided by law for an attorney of a Territory of the United States in so far as the same are not locally inapplicable, and he shall perform such other duties as may be prescribed by law, and make such reports, through the governor, to the Attorney-General of the United States as he may require, which shall annually be transmitted to Congress.

Treasurer.

SEC. 22. That the treasurer shall give bond, approved as to form by the attorney-general of Porto Rico, in such sum as the executive council may require, not less, however, than the sum of one hundred thousand dollars, with surety approved by the governor, and he shall collect and be the custodian of the public funds, and shall disburse the same when appropriated by law, on warrants signed by the auditor and countersigned by the governor, and shall perform such other duties as may be prescribed by law, and make, through the governor, such reports to the Secretary of the Treasury of the United States as he may require, which shall annually be transmitted to Congress.

Auditor.

SEC. 23. That the auditor shall keep full and accurate accounts, showing all receipts and disbursements, and perform such other duties as may be prescribed by law, and make, through the governor, such reports to the Secretary of the Treasury of the United States as he may require, which shall annually be transmitted to Congress.

Commissioner of the interior.

SEC. 24. That the commissioner of the interior shall superintend all works of a public nature, and shall have charge of all public buildings, grounds, and lands, except those belonging to the United States, and shall execute such requirements as may be imposed by law with respect thereto, and shall perform such other duties as may be prescribed by law, and make such reports through the governor to the Secretary of the Interior of the United States as he may require, which shall annually be transmitted to Congress.

Commissioner of education.

SEC. 25. That the commissioner of education shall superintend public instruction throughout Porto Rico, and all disbursements on account thereof must be approved by him; and he shall perform such other duties as may be prescribed by law, and make such reports through the governor as may be required by the Commissioner of Education of the United States, which shall annually be transmitted to Congress.

Other members of executive council; duties, etc.

SEC. 26. That the other five members of the executive council, to be appointed as hereinbefore provided, shall attend all meetings of the executive council and participate in all business of every character that may be transacted by it; and they shall receive as compensation for their services such annual salaries as may be provided by the legislative assembly.

HOUSE OF DELEGATES.

SEC. 27. That all local legislative powers hereby granted shall be vested in a legislative assembly which shall consist of two houses; one the executive council, as hereinbefore constituted, and the other a house of delegates, to consist of thirty-five members elected biennially by the qualified voters as hereinafter provided; and the two houses thus constituted shall be designated "The legislative assembly of Porto Rico."

Legislative assembly of Porto Rico to consist of executive council and house of delegates.

SEC. 28. That for the purposes of such elections Porto Rico shall be divided by the executive council into seven districts, composed of contiguous territory and as nearly equal as may be in population, and each district shall be entitled to five members of the house of delegates.

Election districts.

ELECTION OF DELEGATES.

SEC. 29. That the first election for delegates shall be held on such date and under such regulations as to ballots and voting as the executive council may prescribe; and at such elections the voters of each legislative district shall choose five delegates to represent them in the house of delegates from the date of their election and qualification until two years from and after the first day of January next ensuing; of all which thirty days' notice shall be given by publication in the Official Gazette, or by printed notices distributed and posted throughout the district, or by both, as the executive council may prescribe. At such elections all citizens of Porto Rico shall be allowed to vote who have been bona fide residents for one year and who possess the other qualifications of voters under the laws and military orders in force on the first day of March, nineteen hundred, subject to such modifications and additional qualifications and such regulations and restrictions as to registration as may be prescribed by the executive council. The house of delegates so chosen shall convene at the capital and organize by the election of a speaker, a clerk, a sergeant-at-arms, and such other officers and assistants as it may require, at such time as may be designated by the executive council; but it shall not continue in session longer than sixty days in any one year, unless called by the governor to meet in extraordinary session. The enacting clause of the laws shall be, "Be it enacted by the legislative assembly of Porto Rico;" and each member of the house of delegates shall be paid for his services at the rate of five dollars per day for each day's attendance while the house is in session, and mileage at the rate of ten cents per mile for each mile necessarily traveled each way to and from each session of the legislative assembly.

—term of service, etc.

Qualified voters.

Organization of house of delegates.

Length of session.

Enacting clause of laws. Salary, etc., of members.

All future elections of delegates shall be governed by the provisions hereof, so far as they are applicable, until the legislative assembly shall otherwise provide.

Existing provisions continued until changed by legislature.

SEC. 30. That the house of delegates shall be the sole judge of the elections, returns, and qualifications of its

Powers of house of delegates.



**Qualifications of members.** members, and shall have and exercise all the powers with respect to the conduct of its proceedings that usually appertain to parliamentary legislative bodies. No person shall be eligible to membership in the house of delegates who is not twenty-five years of age and able to read and write either the Spanish or the English language, or who is not possessed in his own right of taxable property, real or personal, situated in Porto Rico.

**Bills; passage of, etc.** SEC. 31. That all bills may originate in either house, but no bill shall become a law unless it be passed in each house by a majority vote of all the members belonging to such house and be approved by the governor within ten days thereafter. If, when a bill that has been passed is presented to the governor for signature, he approves the same, he shall sign it, or if not he shall return it, with his objections, to that house in which it originated, which house shall enter his objections at large on its journal, and proceed to reconsider the bill. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be considered, and if approved by two-thirds of that house it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered upon the journal of each house, respectively. If any bill shall not be returned by the governor within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the legislative assembly by adjournment prevent its return, in which case it shall not be a law: *Provided, however,* That all laws enacted by the legislative assembly shall be reported to the Congress of the United States, which hereby reserves the power and authority, if deemed advisable, to annul the same.

**Proviso. Congress may annul laws.**

**Legislative authority; scope of.** SEC. 32. That the legislative authority herein provided shall extend to all matters of a legislative character not locally inapplicable, including power to create, consolidate, and reorganize the municipalities, so far as may be necessary, and to provide and repeal laws and ordinances therefor; and also the power to alter, amend, modify, and repeal any and all laws and ordinances of every character now in force in Porto Rico, or any municipality or district thereof, not inconsistent with the provisions hereof: *Provided, however,* That all grants of franchises, rights, and privileges or concessions of a public or quasi-public nature shall be made by the executive council, with the approval of the governor, and all franchises granted in Porto Rico shall be reported to Congress, which hereby reserves the power to annul or modify the same.

**Proviso. Grant of franchises.**

#### THE JUDICIARY.

**Established courts continued.** SEC. 33. That the judicial power shall be vested in the courts and tribunals of Porto Rico as already established and now in operation, including municipal courts, under



and by virtue of General Orders, Numbered One hundred and eighteen, as promulgated by Brigadier-General Davis, United States Volunteers, August sixteenth, eighteen hundred and ninety-nine, and including also the police courts established by General Orders, Numbered One hundred and ninety-five, promulgated November twenty-ninth, eighteen hundred and ninety-nine, by Brigadier-General Davis, United States Volunteers, and the laws and ordinances of Porto Rico and the municipalities thereof in force, so far as the same are not in conflict herewith, all which courts and tribunals are hereby continued. The jurisdiction of said courts and the form of procedure in them, and the various officials and attachés thereof, respectively, shall be the same as defined and prescribed in and by said laws and ordinances, and said General Orders, Numbered One hundred and eighteen and One hundred and ninety-five, until otherwise provided by law: *Provided, however,* That the chief justice and associate justices of the supreme court and the marshal thereof shall be appointed by the President, by and with the advice and consent of the Senate, and the judges of the district courts shall be appointed by the governor, by and with the advice and consent of the executive council, and all other officials and attachés of all the other courts shall be chosen as may be directed by the legislative assembly, which shall have authority to legislate from time to time as it may see fit with respect to said courts, and any others they may deem it advisable to establish, their organization, the number of judges and officials and attachés for each, their jurisdiction, their procedure, and all other matters affecting them.

Jurisdiction and procedure.

*Proviso.*  
Appointment of territorial judicial officers.

Power of legislature in regard to courts.

SEC. 34. That Porto Rico shall constitute a judicial district to be called "the district of Porto Rico." The President, by and with the advice and consent of the Senate, shall appoint a district judge, a district attorney, and a marshal for said district, each for a term of four years, unless sooner removed by the President. The district court for said district shall be called the district court of the United States for Porto Rico and shall have power to appoint all necessary officials and assistants, including a clerk, an interpreter, and such commissioners as may be necessary, who shall have like power and duties as are exercised and performed by commissioners of the circuit courts of the United States, and shall have, in addition to the ordinary jurisdiction of district courts of the United States, jurisdiction of all cases cognizant in the circuit courts of the United States, and shall proceed therein in the same manner as a circuit court. The laws of the United States relating to appeals, writs of error and certiorari, removal of causes, and other matters and proceedings as between the courts of the United States and the courts of the several States shall govern in such matters and proceedings as between the district court of the United States and the courts of Porto Rico. Regular terms of said court shall be held at San Juan, commencing on the second

Judicial district established.

Federal judicial officers.

District court.

—officers.

—jurisdiction.

—procedure.

—terms of court.

Monday in April and October of each year, and also at Ponce on the second Monday in January of each year, and special terms may be held at Mayaguez at such other stated times as said judge may deem expedient. All pleadings and proceedings in said court shall be conducted in the English language.

The United States district court hereby established shall be the successor to the United States provisional court established by General Orders, Numbered Eighty-eight, promulgated by Brigadier-General Davis, United States Volunteers, and shall take possession of all records of that court, and take jurisdiction of all cases and proceedings pending therein, and said United States provisional court is hereby discontinued.

SEC. 35. That writs of error and appeals from the final decisions of the supreme court of Porto Rico and the district court of the United States shall be allowed and may be taken to the Supreme Court of the United States in the same manner and under the same regulations and in the same cases as from the supreme courts of the Territories of the United States; and such writs of error and appeal shall be allowed in all cases where the Constitution of the United States, or a treaty thereof, or an Act of Congress is brought in question and the right claimed thereunder is denied; and the supreme and district courts of Porto Rico and the respective judges thereof may grant writs of habeas corpus in all cases in which the same are grantable by the judges of the district and circuit courts of the United States. All such proceedings in the Supreme Court of the United States shall be conducted in the English language.

SEC. 36. That the salaries of all officials of Porto Rico not appointed by the President, including deputies, assistants, and other help, shall be such, and be so paid out of the revenues of Porto Rico, as the executive council shall from time to time determine: *Provided, however,* That the salary of no officer shall be either increased or diminished during his term of office. The salaries of all officers and all expenses of the offices of the various officials of Porto Rico, appointed as herein provided by the President, including deputies, assistants, and other help, shall also be paid out of the revenues of Porto Rico on the warrant of the auditor, countersigned by the governor.

The annual salaries of the officials appointed by the President, and so to be paid, shall be as follows:

The governor, eight thousand dollars; in addition thereto he shall be entitled to the occupancy of the buildings heretofore used by the chief executive of Porto Rico, with the furniture and effects therein, free of rental.

The secretary, four thousand dollars.

The attorney-general, four thousand dollars.

The treasurer, five thousand dollars.

The auditor, four thousand dollars.

The commissioner of the interior, four thousand dollars.

The commissioner of education, three thousand dollars.

The chief justice of the supreme court, five thousand dollars.

The associate justices of the supreme court (each), four thousand five hundred dollars.

The marshal of the supreme court, three thousand dollars.

The United States district judge, five thousand dollars.

The United States district attorney, four thousand dollars.

The United States district marshal, three thousand five hundred dollars.

SEC. 37. That the provisions of the foregoing section shall not apply to the municipal officials. Their salaries and the compensation of their deputies, assistants, and other help, as well as all other expenses incurred by the municipalities, shall be paid out of the municipal revenues in such manner as the legislative assembly shall provide. Municipal salaries and expenses, how paid.

SEC. 38. That no export duties shall be levied or collected on exports from Porto Rico; but taxes and assessments on property, and license fees for franchises, privileges, and concessions may be imposed for the purposes of the insular and municipal governments, respectively, as may be provided and defined by act of the legislative assembly; and where necessary to anticipate taxes and revenues, bonds and other obligations may be issued by Porto Rico or any municipal government therein as may be provided by law to provide for expenditures authorized by law, and to protect the public credit, and to reimburse the United States for any moneys which have been or may be expended out of the emergency fund of the War Department for the relief of the industrial conditions of Porto Rico caused by the hurricane of August eighth, eighteen hundred and ninety-nine: *Provided, however,* That no public indebtedness of Porto Rico or of any municipality thereof shall be authorized or allowed in excess of seven per centum of the aggregate tax valuation of its property. No export duties. Legislature may tax, etc. Bond issues, etc. Proviso.—limit.

SEC. 39. That the qualified voters of Porto Rico shall, on the first Tuesday after the first Monday of November, anno Domini nineteen hundred, and every two years thereafter, choose a resident commissioner to the United States, who shall be entitled to official recognition as such by all Departments, upon presentation to the Department of State of a certificate of election of the governor of Porto Rico, and who shall be entitled to a salary, payable monthly by the United States, at the rate of five thousand dollars per annum: *Provided,* That no person shall be eligible to such election who is not a bona fide citizen of Porto Rico, who is not thirty years of age, and who does not read and write the English language. Resident commissioner to United States. Proviso.—qualifications.

SEC. 40. That a commission, to consist of three members, at least one of whom shall be a native citizen of Porto Rico, shall be appointed by the President, by and with the advise and consent of the Senate, to compile and revise the laws of Porto Rico; also the various codes of procedure and systems of municipal government now in force, and to frame and report such legislation as may be necessary to make a simple, harmonious, and economical government, establish justice and secure its prompt and Commission to report on permanent system of government, etc.

—expenses.

—to report with-  
in a year.

Effect.

efficient administration, inaugurate a general system of education and public instruction, provide buildings and funds therefor, equalize and simplify taxation and all the methods of raising revenue, and make all other provisions that may be necessary to secure and extend the benefits of a republican form of government to all the inhabitants of Porto Rico; and all the expenses of such commissioners, including all necessary clerks and other assistants that they may employ, and a salary to each member of the commission at the rate of five thousand dollars per annum, shall be allowed and paid out of the treasury of Porto Rico as a part of the expenses of the government of Porto Rico. And said commission shall make full and final report, in both the English and Spanish languages, of all its revisions, compilations, and recommendations, with explanatory notes as to the changes and the reasons therefor, to the Congress on or before one year after the passage of this Act.

SEC. 41. That this Act shall take effect and be in force from and after the first day of May, nineteen hundred.

May 25, 1900.  
[Public, No. 121.]  
31 Stats. L., p.  
191.

CHAP. 555.—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and one.

\* \* \* \* \*

DEPARTMENT OF AGRICULTURE.

\* \* \* \* \*

Investigation  
of resources of  
Porto Rico, etc.

AGRICULTURAL EXPERIMENT STATIONS: \* \* \* And the Secretary of Agriculture is hereby authorized to expend five thousand dollars of which sum to investigate and report to Congress on the agricultural resources and capabilities of Porto Rico with special reference to the selection of locations for agricultural experiment stations, and the determination of the character and extent of agricultural experiments immediately demanded by the condition of agriculture in that island, and to prepare, print, publish, and distribute in Porto Rico circulars of inquiry and bulletins of information in the English and Spanish languages, which sum shall be immediately available; in all, seven hundred and eighty thousand dollars. \* \* \*

\* \* \* \* \*

June 6, 1900.  
[Public, No. 163.]  
31 Stats. L., p.  
584.

CHAP. 791.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes.

\* \* \* \* \*

UNDER THE TREASURY DEPARTMENT.

\* \* \* \* \*

LIGHT-HOUSE ESTABLISHMENT.

\* \* \* \* \*

Porto Rico.

PORTO RICAN LIGHT-HOUSE ESTABLISHMENT: To maintain existing aids to navigation, and complete the con-

struction of Mona light on Porto Rico and adjacent islands, sixty thousand dollars, to be immediately available.

\* \* \* \* \*

MISCELLANEOUS OBJECTS UNDER THE  
TREASURY DEPARTMENT.

For salary of the resident commissioner from Porto Rico to the United States, authorized by the Act temporarily to provide revenues and a civil government for Porto Rico, approved April twelfth, nineteen hundred, five thousand dollars.

Porto Rico.  
Salary of com-  
missioner.

\* \* \* \* \*

QUARANTINE SERVICE.

For the maintenance and ordinary expenses, including pay of officers and employees of quarantine stations at \* \* \* and in Porto Rico, two hundred and thirty-five thousand dollars. \* \* \*

Maintenance

\* \* \* \* \*

[No. 23.] Joint Resolution To provide for the administration of civil affairs in Porto Rico pending the appointment and qualification of the civil officers provided for in the Act approved April twelfth, nineteen hundred, entitled, "An Act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes."

May 1, 1900.  
[Pub. Res., No. 23.]  
31 Stats. L., p. 715.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That until the officer to fill any office provided for by the Act of April twelfth, nineteen hundred, entitled "An Act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," shall have been appointed and qualified, the officer or officers now performing the civil duties pertaining to such office may continue to perform the same under the authority of said Act; and no officer of the Army shall lose his commission by reason thereof: Provided, That nothing herein contained shall be held to extend the time for the appointment and qualification of any such officers beyond the first day of August, nineteen hundred.*

Porto Rico.  
Existing officers to serve pending appointment of successors.

Commission of army officer unaffected.  
Proviso.  
limit of time for appointment.

SEC. 2. That all railroad, street railway, telegraph and telephone franchises, privileges or concessions granted under section thirty-two of said Act shall be approved by the President of the United States, and no such franchise, privilege, or concession shall be operative until it shall have been so approved.

Franchises to be approved by President.

SEC. 3. That all franchises, privileges or concessions granted under section thirty-two of said Act shall provide that the same shall be subject to amendment, alteration, or repeal; shall forbid the issue of stock or bonds, except in exchange for actual cash, or property at a fair valuation, equal in amount to the par value of the stock or

provisions required in charters granting.



Functions of  
corporations  
limited.

bonds issued; shall forbid the declaring of stock or bond dividends; and, in the case of public-service corporations, shall provide for the effective regulation of the charges thereof and for the purchase or taking by the public authorities of their property at a fair and reasonable valuation. No corporation shall be authorized to conduct the business of buying and selling real estate or be permitted to hold or own real estate except such as may be reasonably necessary to enable it to carry out the purposes for which it was created, and every corporation hereafter authorized to engage in agriculture shall by its charter be restricted to the ownership and control of not to exceed five hundred acres of land; and this provision shall be held to prevent any member of a corporation engaged in agriculture from being in any wise interested in any other corporation engaged in agriculture. Corporations, however, may loan funds upon real estate security, and purchase real estate when necessary for the collection of loans, but they shall dispose of real estate so obtained within five years after receiving the title. Corporations not organized in Porto Rico, and doing business therein, shall be bound by the provisions of this section so far as they are applicable.

May 14, 1900. [No. 26.] Joint Resolution Providing for the printing and distribution of the general report of the expedition of the steamer Fishhawk to Puerto Rico, including the chapter relating to the fish and fisheries of Puerto Rico, as contained in the Fish Commission Bulletin for nineteen hundred.

[Pub. Res., No. 26.]  
31 Stats. L., p. 717.

Report expedition of "Fishhawk" to Porto Rico.  
Printing ordered.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be printed and bound, under the direction of the Joint Committee on Printing, seven thousand five hundred copies of the general report of the expedition of the steamer Fishhawk to Puerto Rico, including the chapter relating to the fish and fisheries of Puerto Rico, as contained in the Fish Commission Bulletin for nineteen hundred; four thousand five hundred for the use of the House, one thousand five hundred for the use of the Senate, and one thousand five hundred for the use of the United States Fish Commission.*

June 6, 1900. [No. 32.] Joint Resolution To authorize and empower the Banco Español de Puerto Rico (Spanish Bank of Porto Rico) to amend its by-laws.

[Pub. Res., No. 32.]  
31 Stats. L., p. 719.

Banco Español de Puerto Rico may amend its by-laws.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Banco Español de Puerto Rico (Spanish Bank of Porto Rico) be, and the said institution is hereby, authorized and empowered to amend article one of its by-laws, which said by-laws are referred to in, and published with, the royal (Spanish) decree dated May fifth, anno Domini eighteen hundred and eighty-eight, granting a concession*



to said bank, so as to change its name to that of Bank of Porto Rico (Banco de Puerto Rico) and to substitute for its capital in pesos the equivalent in money of the United States at the ratio established by law, and to amend article thirty-one of said by-laws, so that to be a councilor of said bank it may not be necessary to be a Spaniard, and further to modify and amend said by-laws, but always in accordance with existing law, and subject to the approval of the governor of Porto Rico: *Provided*, That nothing herein contained shall be held to enlarge or to permit the enlargement, in any manner or to any extent, of any of the rights, powers, or privileges granted to said Banco Español de Puerto Rico (Spanish Bank of Porto Rico) by the Government of Spain: *And provided further*, That nothing herein contained shall be held in any wise to limit or curtail any power which the Government or the Congress of the United States possesses in respect of said bank, its powers, privileges, or franchises.

*Provisos. Powers not enlarged.*

*Federal control unabridged.*

*Fifty-sixth Congress, second session.*

**CHAP. 677.**—An Act Making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes. March 1, 1901.  
[Public, No. 113.]  
31 Stats. L., p. 873.

\* \* \* \* \*

FORTIFICATIONS AND OTHER WORKS OF DEFENSE.

\* \* \* \* \*

For the purchase of submarine mines and necessary appliances to operate them for closing the channels leading to our principal seaports, including San Juan, Porto Rico; needful casemates, cable galleries, and so forth, to render it possible to operate submarine mines, and continuing torpedo experiments, fifty thousand dollars.

*Submarine mines.*

\* \* \* \* \*

**CHAP. 805.**—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and two. March 2, 1901.  
[Public, No. 120.]  
31 Stats. L., p. 922.

\* \* \* \* \*

MISCELLANEOUS.

**AGRICULTURAL EXPERIMENT STATIONS:** \* \* \* And the Secretary of Agriculture is hereby authorized to expend twelve thousand dollars of which sum to establish and maintain an agricultural experiment station in Porto Rico, including the erection of buildings, the printing (in Porto Rico), illustration, and distribution of reports and bulletins, and all other expenses essential to the maintenance of said station; in all, seven hundred and eighty-nine thousand dollars. \* \* \*

*Porto Rican station.*

\* \* \* \* \*

March 2, 1901. **CHAP. 812.**—An Act To amend an Act entitled "An Act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April twelfth, nineteen hundred, and to increase the salary of the commissioner of education provided for by said Act.

Porto Rico.  
Salary of commissioner of education.

—employees district court.  
Laws 1st session 58th Congress, p. 85.

District court expenses payable from Porto Rican revenues, etc.

—disposition of fees earned.

Fees United States commissioners.

*Proviso.*  
Payments of United States district marshal allowed.

Jurisdiction of district court extended.

Jurors' and witnesses' mileage.

*Proviso.*  
No double mileage fees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the salary of the commissioner of education for Porto Rico shall, from and after the first day of April, nineteen hundred and one, be four thousand dollars per annum, and in addition to the duties provided by section thirty-six of the Act of April twelfth, nineteen hundred, the executive council shall, from time to time, determine the salaries of all officials and assistants, appointed by the United States district court, including the clerk and the interpreter, which shall be paid out of the revenues of Porto Rico as other salaries and expenses of like character are paid under the provisions of said Act.

**SEC. 2.** That such fees and expenses as are payable by the United States, if earned or incurred in connection with a circuit or district court of the United States, shall be paid from the revenues of Porto Rico, if earned or incurred in connection with the district court of the United States for Porto Rico. That all such fees, fines, costs, and forfeitures as would be deposited to the credit of the United States, if collected and paid into a circuit or district court of the United States, shall become revenues of Porto Rico, if collected and paid into the district court of the United States for Porto Rico. The commissioners appointed, as provided in section thirty-four of said Act approved April twelfth, nineteen hundred, shall be entitled to the fees provided for United States commissioners: *Provided,* That payments of fees and expenses, heretofore made in good faith by the United States district marshal, either from funds advanced to him by the United States or by Porto Rico, may be allowed by the accounting officers of the United States or the accounting officers of Porto Rico, as the case may be, in the settlement of his accounts.

**SEC. 3.** That the jurisdiction of the district court of the United States for Porto Rico in civil cases shall, in addition to that conferred by the Act of April twelfth, nineteen hundred, extend to and embrace controversies where the parties, or either of them, are citizens of the United States, or citizens or subjects of a foreign State or States, wherein the matter in dispute exceeds, exclusive of interest or costs, the sum or value of one thousand dollars.

**SEC. 4.** That jurors and witnesses in the United States district court of Porto Rico shall be entitled to and receive fifteen cents for each mile necessarily traveled over any stage line or by private conveyance and ten cents for each mile over any railway in going to and returning from said courts: *Provided,* That no constructive or double mileage fees shall be allowed by reason of any person being summoned both as witness and juror, or as witness in two or more cases pending in the same court and triable at the same term thereof.

**CHAP. 830.**—An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and two, and for other purposes. March 3, 1901.  
[Public, No. 135.]  
81 Stats. L., p. 960.

\* \* \* \* \*

TREASURY DEPARTMENT.

\* \* \* \* \*

GOVERNMENT IN THE TERRITORIES.

\* \* \* \* \*

**TERRITORY OF PORTO RICO:** For salary of the resident commissioner from Porto Rico to the United States, authorized by the Act temporarily to provide revenues and a civil government for Porto Rico, approved April twelfth, nineteen hundred, five thousand dollars. Porto Rico.

**CHAP. 831.**—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and one, and for prior years, and for other purposes. March 3, 1901.  
[Public, No. 136.]  
81 Stats. L., p. 1010.

\* \* \* \* \*

TREASURY DEPARTMENT.

\* \* \* \* \*

QUARANTINE SERVICE.

For the maintenance and ordinary expenses, including pay of officers and employees of quarantine stations at \* \* \* and Porto Rico, eighteen thousand dollars. Maintenance.

\* \* \* \* \*

**CHAP. 853.**—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and two, and for other purposes. March 3, 1901.  
[Public, No. 158.]  
81 Stats. L., p. 1133.

\* \* \* \* \*

UNDER THE TREASURY DEPARTMENT.

\* \* \* \* \*

LIGHT-HOUSE ESTABLISHMENT.

\* \* \* \* \*

**PORTO RICAN LIGHT-HOUSE ESTABLISHMENT:** For maintaining existing aids to navigation and to establish and maintain additional day marks, buoys, and beacon lights where required for Porto Rico and adjacent islands, seventy-five thousand dollars. Porto Rico.

\* \* \* \* \*

MISCELLANEOUS OBJECTS UNDER THE TREASURY DEPARTMENT.

\* \* \* \* \*

QUARANTINE SERVICE.

For the maintenance and ordinary expenses, including pay of officers and employees of quarantine stations at \* \* \* and the quarantine system of Porto Rico, three hundred and ten thousand dollars. Maintenance.

\* \* \* \* \*

*Fifty-seventh Congress, first session.*

April 28, 1902. **CHAP. 594.**—An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes.

\* \* \* \* \*

## TREASURY DEPARTMENT.

\* \* \* \* \*

## GOVERNMENT IN THE TERRITORIES.

\* \* \* \* \*

Porto Rico.

**TERRITORY OF PORTO RICO:** For salary of the resident commissioner from Porto Rico to the United States, authorized by the Act temporarily to provide revenues and a civil government for Porto Rico, approved April twelfth, nineteen hundred, five thousand dollars. \* \* \*

\* \* \* \* \*

April 29, 1902. **CHAP. 640.**—An Act To refund the amount of duties paid in Porto Rico upon articles imported from the several States from April eleventh, eighteen hundred and ninety-nine, to May first, nineteen hundred, to confer jurisdiction on the Court of Claims to render judgment thereon, and making an appropriation therefor.

Porto Rico.  
Duties to be  
refunded.  
Jurisdiction  
conferred on  
Court of Claims.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That jurisdiction be, and is hereby, conferred upon the Court of Claims of the United States of all claims against the United States arising out of the payment of customs duties to the military authorities in the island of Porto Rico upon articles imported from the several States, which articles were entered at the several ports of entry in Porto Rico from and including April eleventh, eighteen hundred and ninety-nine, to May first, nineteen hundred, and the Court of Claims is empowered and directed to ascertain the amounts of such duties paid during said period and to enter judgment against the United States for the several amounts so paid, with interest thereon at the rate of six per centum per annum from the several dates of payment of such duties to the dates of such judgments, respectively, in all actions for the recovery of such duties now pending in the Court of Claims and in all actions for the recovery of such duties which may be brought in said court within six months from the date of the passage of this Act.

Payment of  
judgments.

**SEC. 2.** That the Secretary of the Treasury, upon the certification of such judgments, or any of them, from which the United States does not take an appeal, is authorized to pay the same.

**CHAP. 985.**—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and three. June 3, 1902.  
[Public, No. 139.]  
32 Stats. L., pt. 1, p. 286.

\* \* \* \* \*

DEPARTMENT OF AGRICULTURE.

\* \* \* \* \*

MISCELLANEOUS.

AGRICULTURAL EXPERIMENT STATIONS:

\* \* \* \* \*

And the Secretary of Agriculture is hereby authorized to expend twelve thousand dollars of which sum to establish and maintain an agricultural experiment station in Porto Rico, including the erection of buildings, the printing (in Porto Rico), illustration, and distribution of reports and bulletins, and all other expenses essential to the maintenance of said station; and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, and Porto Rico, and to apply the moneys received from the sale of such products to the maintenance of said stations; in all, seven hundred and ninety-six thousand dollars. Sale of products.

\* \* \* \* \*

**CHAP. 1301.**—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes. June 28, 1902.  
[Public, No. 182.]  
32 Stats. L., pt. 1, p. 419.

\* \* \* \* \*

UNDER THE TREASURY DEPARTMENT.

\* \* \* \* \*

LIGHT-HOUSE ESTABLISHMENT.

\* \* \* \* \*

**PORTO RICAN LIGHT-HOUSE ESTABLISHMENT:** For maintaining existing aids to navigation and to establish and maintain additional day marks and beacon lights and buoys, where required on Porto Rico and adjacent islands, including purchase of land for same and the pay of officers and crews of light-house tenders and of clerks and other employees in the offices of the light-house inspector and light-house engineer and at the light-house depot, seventy-five thousand dollars. Porto Rico.

\* \* \* \* \*

QUARANTINE SERVICE.

For the maintenance and ordinary expenses, including pay of officers and employees of quarantine stations at Maintenance.

\* \* \* and the quarantine system of Porto Rico, three hundred and twenty-five thousand dollars. \* \* \*

\* \* \* \* \*

July 1, 1902. **CHAP. 1383.**—An Act Authorizing the President to reserve public lands and buildings in the island of Porto Rico for public use, and granting other public lands and buildings to the government of Porto Rico, and for other purposes.

[Public No. 249.]  
32 Stats. L., pt.  
1, p. 731.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President be, and he is hereby, authorized to make, within one year after the approval of this Act, such reservation of public lands and buildings belonging to the United States in the island of Porto Rico, for military, naval, light-house, marine-hospital, post-offices, custom-houses, United States courts, and other public purposes, as he may deem necessary, and all the public lands and buildings, not including harbor areas and navigable streams and bodies of water and the submerged lands underlying the same, owned by the United States in said island and not so reserved be, and the same are hereby, granted to the government of Porto Rico, to be held or disposed of for the use and benefit of the people of said island: *Provided*, That said grant is upon the express condition that the government of Porto Rico, by proper authority, release to the United States any interest or claim it may have in or upon the lands or buildings reserved by the President under the provisions of this Act: *And provided further*, That nothing herein contained shall be so construed as to affect any legal or equitable rights acquired by the government of Porto Rico or by any other party, under any contract, lease, or license made by the United States authorities prior to the first day of May, nineteen hundred.

Porto Rico.  
Reservation  
of public lands  
and buildings  
for public pur-  
poses, etc.

Other lands,  
etc., granted to  
government of  
Porto Rico.

*Proviso.*  
Release of re-  
served lands,  
etc.

Legal rights,  
etc., not af-  
fected.

Appropri-  
ation for law  
library.

Resident com-  
missioner.  
Traveling ex-  
penses.

Term of office  
extended.

**SEC. 2.** That the sum of two thousand dollars is hereby appropriated, out of any funds in the Treasury of the United States not otherwise appropriated, to be expended by the clerk of the district court of the United States for Porto Rico, under the supervision and subject to the approval of the presiding judge of said court, in the purchase of a law library for the use of said court.

**SEC. 3.** That the resident commissioner from Porto Rico to the United States, provided for by section thirty-nine of the Act of April twelfth, nineteen hundred, entitled "An Act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," shall be entitled, in addition to his salary as now fixed by law, to his actual expenses in traveling to and from Porto Rico once annually, and his term of office shall commence on the fourth day of March next succeeding the date of his election; and the term of office of the present incumbent is hereby extended to the third day of March, nineteen hundred and three.



*Fifty-seventh Congress, second session.*

**CHAP. 755.**—An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and four, and for other purposes. February 25, 1903.  
[Public, No. 115.]  
32 Stats. L., pt. 1, p. 854.

\* \* \* \* \*

TREASURY DEPARTMENT.

\* \* \* \* \*

GOVERNMENT IN THE TERRITORIES.

\* \* \* \* \*

**TERRITORY OF PORTO RICO:** For salary of the resident commissioner from Porto Rico to the United States, authorized by the Act temporarily to provide revenues and a civil government for Porto Rico, approved April twelfth, nineteen hundred, five thousand dollars; for traveling expenses, one hundred and thirty-four dollars and fifty cents; in all, five thousand one hundred and thirty-four dollars and fifty cents. \* \* \*

Porto Rico.

\* \* \* \* \*

**CHAP. 995.**—An Act Making appropriations for the support of the Military Academy for the fiscal year ending June thirtieth, nineteen hundred and four, and for other purposes. March 3, 1903.  
[Public, No. 145.]  
32 Stats. L., pt. 1, p. 1011.

\* \* \* \* \*

PERMANENT ESTABLISHMENT.

\* \* \* \* \*

For pay of cadets, two hundred and fifty thousand dollars: *Provided*, That in addition to the Corps of Cadets now authorized by law, there shall be one from Porto Rico, who shall be a native of said island, to be appointed by the President of the United States. \* \* \*

Cadets.

*Proviso.*  
Appointment from Porto Rico.

\* \* \* \* \*

**CHAP. 1006.**—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and three, and for prior years, and for other purposes. March 3, 1903.  
[Public, No. 156.]  
32 Stats. L., pt. 1, p. 1031.

\* \* \* \* \*

TREASURY DEPARTMENT.

\* \* \* \* \*

GOVERNMENT IN THE TERRITORIES.

\* \* \* \* \*

**PORTO RICO:** To pay Federico Degetau, resident commissioner from Porto Rico to the United States, the amount found due him by the accounting officers of the Treasury under the Act of July first, nineteen hundred and two, for traveling expenses, Washington, District of Columbia, to

Porto Rico.  
Traveling expenses, Federico Degetau.

Porto Rico and return, being for the fiscal year nineteen hundred and three, one hundred and thirty-four dollars and fifty cents.

\* \* \* \*

March 3, 1903. **CHAP. 1007.**—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, 1903. **Stats. L., pt. 1, p. 1083.**

\* \* \* \*

UNDER THE TREASURY DEPARTMENT.

\* \* \* \*

LIGHT-HOUSE ESTABLISHMENT.

\* \* \* \*

Porto Rico. **PORTO RICAN LIGHT-HOUSE SERVICE:** For maintaining existing aids to navigation and to establish and maintain additional day marks and beacon lights and buoys, where required on Porto Rico and adjacent islands, including purchase of land for same and the pay of officers and crews of light-house tenders and of clerks and other employees in the offices of the light-house inspector and light-house engineer and at the light-house depot, seventy-five thousand dollars.

\* \* \* \*

QUARANTINE SERVICE.

Maintenance. For the maintenance and ordinary expenses, including pay of officers and employees of quarantine stations at \* \* \* and the quarantine system of Porto Rico, three hundred and twenty-five thousand dollars. \* \* \*

\* \* \* \*

March 3, 1903. **CHAP. 1008.**—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, 1903. **Stats. L., pt. 1, p. 1147.**

\* \* \* \*

MISCELLANEOUS.

\* \* \* \*

Porto Rico. And the Secretary of Agriculture is hereby authorized to expend fifteen thousand dollars of which sum to establish and maintain an agricultural experiment station in Porto Rico, including the erection of buildings, the printing (in Porto Rico), illustration, and distribution of reports and bulletins, and all other expenses essential to the maintenance of said station; and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, and Porto Rico, and to apply the moneys received from the sale of such products to the maintenance of said stations; in all, eight hundred and ten thousand dollars. \* \* \*

Sale of products.

\* \* \* \*

# GUAM AND SAMOA.

*Fifty-sixth Congress, first session.*

**CHAP. 790.**—An Act Making provision for emergencies in river and harbor works, for certain surveys, and for the diversion of certain appropriations or modification of provisions heretofore made. June 6, 1900.  
[Public, No. 102.]  
31 Stats. L., p. 578.

\* \* \* \* \*

**SEC. 6.** That the Secretary of the Navy is hereby authorized and directed to appoint two naval officers, and the Secretary of War one engineer officer, to constitute a board whose duty it shall be, under the direction of the Secretary of the Navy, to make a survey, plan, and estimates for the improvement of a harbor at the island of Guam; and the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for this purpose. Guam.  
Harbor im-  
provement  
board author-  
ized.

\* \* \* \* \*

*Fifty-fifth Congress, second session.*

**CHAP. 55.**—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine. March 9, 1898.  
[Public, No. 32.]  
30 Stats. L., p. 262.

\* \* \* \* \*

## PROTECTING INTERESTS OF THE UNITED STATES IN THE SAMOAN ISLANDS.

For the execution of the obligations of the United States and the protection of the interests and property of the United States in the Samoan Islands, under any existing treaty with the Government of said islands and with the Governments of Germany and Great Britain, six thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the President. Samoa n Is-  
lands.

\* \* \* \* \*

**CHAP. 571.**—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for prior years, and for other purposes. July 7, 1898.  
[Public, No. 182.]  
30 Stat. L., p. 652.

\* \* \* \* \*

## DEPARTMENT OF STATE.

\* \* \* \* \*

**REIMBURSEMENT OF THE GERMAN TRADE AND PLANTATION COMPANY OF HAMBURG, AT APIA, SAMOA:** To reimburse the German Trade and Plantation Company of German Trade  
and Plantation  
Company of  
Hamburg.

Reimburse-  
ment of.

Hamburg, in Apia, Samoa, for losses sustained by them from the payment of certain drafts illegally drawn on the Secretary of State by William Churchill, late consul-general at Apia, Samoa, and purporting to be on the business of the United States Government, aggregating one thousand eight hundred dollars and sixty cents, together with interest thereon at the rate of eight per centum per annum to the date of payment. \* \* \*

\* \* \* \* \*

*Fifty-fifth Congress, third session.*

**February 9, 1899.**

[Public, No. 41.]  
80 Stats. L., p.  
23.

**CHAP. 128.**—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred.

\* \* \* \*

# PROTECTING INTERESTS OF THE UNITED STATES IN THE SAMOAN ISLANDS.

## Samoa Islands.

For the execution of the obligations of the United States and the protection of the interests and property of the United States in the Samoan Islands, under any existing treaty with the Government of said islands and with the Governments of Germany and Great Britain, six thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the President.

\* \* \* \* \*

## CUBA.

### *Fifty-fifth Congress, first session.*

[No. 11.] Joint Resolution Appropriating fifty thousand dollars for the relief of destitute citizens of the United States in the Island of Cuba. May 24, 1897.  
[Pub. Res., No. 11.]  
30 Stats. L., p. 220.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of fifty thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the relief of destitute citizens of the United States in the Island of Cuba, said money to be expended at the discretion and under the direction of the President of the United States in the purchase and furnishing of food, clothing, and medicines to such citizens, and for transporting to the United States such of them as so desire and who are without means to transport themselves.* Cuba.  
Appropriation for destitute citizens of the United States.

### *Fifty-fifth Congress, second session.*

**CHAP. 103.**—An Act For the relief of the sufferers by the destruction of the United States steamer Maine, in the harbor of Havana, Cuba. March 30, 1898.  
[Public. No. 53.]  
30 Stats. L., p. 346.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to reimburse the survivors of the officers and crew of the United States steamer Maine, destroyed by an explosion in the harbor of Havana, Cuba, on the fifteenth day of February, eighteen hundred and ninety-eight, for losses incurred by them, respectively, in the destruction of said vessel, there shall be paid to each of said survivors, out of any money in the Treasury of the United States not otherwise appropriated, a sum equal to the losses so sustained by them: Provided, That the accounting officers of the Treasury shall in all cases require a schedule and affidavit from each person making a claim under this Act, such schedule to be approved by the Secretary of the Navy; and reimbursement shall be made for such articles of clothing, outfit, and for such personal effects only as are of a character and value and in quantity suitable and appropriate to the rank or rating and duty of the person by whom the claim is made: Provided further, That in no case shall the aggregate sum allowed for such losses exceed the amount of twelve months' sea pay (without ra-* United States steamer Maine.  
Payment to sufferers by destruction of.  
  
Provisos.  
Schedules, etc  
  
Limit of payment.

tions) of the grade or rating held by such person at the time the losses were incurred.

Payment to  
relatives of lost  
officers and  
men.

SEC. 2. That the widow, child, or children, and in case there be not such, that the parent or parents, and if there be no parent, the brothers and sisters, of the officers, enlisted men, and others who were lost in the destruction of said vessel, or who have died or who may die within one year from date of the disaster in consequence of injuries received in the destruction of said vessel, shall be entitled to and shall receive, out of any money in the Treasury of the United States not otherwise appropriated, to wit: The relative, in the order named, of the persons heretofore referred to, a sum equal to twelve months' sea pay of the grade or rating of each person deceased as aforesaid: *Provided*, That the legal representatives of the deceased persons hereinbefore referred to shall also be paid from the Treasury of the United States any arrears of pay due the deceased at the time of their death: *Provided further*, That if any person who shall receive reimbursement under this Act, for losses incurred in said disaster, shall die within the year in consequence of injuries incurred in the destruction of said vessel, the amount so paid shall be deducted from the amount of twelve months' sea pay (without rations) allowed to such beneficiary by virtue of this Act of relief.

*Proviso.*  
Arrears of pay  
due deceased,  
etc.

Deaths within  
a year of persons  
reimbursed for  
losses.

Continuance  
of allotments to  
relatives.

SEC. 3. That the accounting officers of the Treasury be, and they are hereby, authorized to continue for a period of three months any allotments which may have been made in favor of any relatives of the degrees hereinbefore enumerated by any of the officers and men attached to the United States ship Maine who lost their lives in or in consequence of the disaster to that vessel: *Provided*, That the amount of the allotments so continued shall be deducted from the amount of twelve months' sea pay allowed to such beneficiaries by virtue of this Act for their relief.

*Proviso.*  
Deductions.

Payment to  
extinguish all  
claims.

SEC. 4. That the relief granted by the provisions of this Act shall be in full satisfaction of any and all claims whatever against the United States on account of losses or death by the destruction of the United States steamer Maine; and any claim against the United States which shall be presented and acted upon under the authority of this Act shall be held to be finally determined and shall not in any manner thereafter be reopened, reconsidered, supplemented nor be subject to appeal in any form; and the method of presenting and establishing said claims hereinbefore presented shall be followed in lieu of those prescribed by acts or parts of acts heretofore enacted relating to the presentation and allowance of similar claims: *Provided*, That nothing herein shall affect the right of any of the beneficiaries under this Act to any pension to which they may be entitled under existing law after the expiration of one year from said fifteenth day of February, eighteen hundred and ninety-eight.

*Proviso.*  
Pensions.

Time for pres-  
entation of  
claims.

SEC. 5. That no claims shall be allowed under the provisions of this Act which shall not be presented within two years after the date of its passage.



SEC. 6. That the Secretary of the Navy be, and he is hereby, authorized, whenever in his discretion it may be deemed practicable and expedient, to cause the remains of all or any of those who perished in consequence of said disaster to be removed to the United States cemetery at Arlington: *Provided*, That the relatives of any of such deceased officers and others mentioned in this Act who prefer that the remains of such be taken to their homes within the United States shall have such privilege extended to them, and the expense thereof shall be borne by the United States; and the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the provisions of this section.

Removal of remains to Arlington.

*Proviso.*  
Interment elsewhere.

CHAP. 345.—An Act To provide assistance to the inhabitants of Cuba, and arms, munitions, and military stores to the people of the Island of Cuba, and for other purposes.

May 18, 1898.

[Public, No. 103.]  
30 Stats. L., p. 419.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That while serving in Cuba during the existing war, officers of the Army of the United States exercising separate commands may, by special order, cause subsistence, medical, and quartermaster's supplies to be issued to, and other aid rendered to, inhabitants of the Island of Cuba who are destitute and in imminent danger of perishing unless they receive the same.

Cuba.  
Furnishing of supplies to people.

SEC. 2. That the President, and general officers commanding troops in Cuba, are hereby authorized to furnish to the Cuban people such arms, ammunition, equipments, and military stores and supplies as they may require in order to increase their effective fighting force in the existing war against Spain.

—of arms, etc.

[No. 11.] Joint Resolution To provide for recovering the remains of officers and men and property from the wrecked United States ship *Maine*, and making an appropriation therefor.

February 23, 1898.

[Pub. Res., No. 10.]  
30 Stats. L., p. 735.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Navy be, and he is hereby, authorized to engage the services of a wrecking company or companies, having proper facilities for the prompt and efficient performance of submarine work, for the purpose of recovering the remains of the officers and men lost on the United States ship *Maine*, and of saving the vessel or such parts thereof, and so much of her stores, guns, material, equipment, fittings, and appurtenances as may be practicable; and for this purpose the sum of two hundred thousand dollars, or as much thereof as may be necessary, is hereby appropriated and made immediately available.

U. S. ship "Maine."  
Recovery of remains of officers, property, etc.

April 20, 1898. [No. 24.] Joint Resolution For the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the Island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect.

Preamble. Whereas the abhorrent conditions which have existed for more than three years in the Island of Cuba, so near our own borders, have shocked the moral sense of the people of the United States, have been a disgrace to Christian civilization, culminating, as they have, in the destruction of a United States battle ship, with two hundred and sixty-six of its officers and crew, while on a friendly visit in the harbor of Havana, and can not longer be endured, as has been set forth by the President of the United States in his message to Congress of April eleventh, eighteen hundred and ninety-eight, upon which the action of Congress was invited: Therefore,

Independence of Cuba. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First.* That the people of the Island of Cuba are, and of right ought to be, free and independent.

Demand upon Spain to relinquish its authority, etc. Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the Island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

President authorized to use land and naval forces. Third. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

Disclaimer by the United States of intention to exercise sovereignty, etc. Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said Island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the Island to its people.

*Fifty-fifth Congress, third session.*

March 3, 1899. **CHAP. 423.**—An Act Making appropriation for the support of the Regular and Volunteer Army for the fiscal year ending June thirtieth, nineteen hundred.

[Public, No. 187.] 30 Stats. L., p. 1064. \* \* \* \* \*

SUBSISTENCE DEPARTMENT.

\* \* \* \* \*

Supplies for Cubans. Subsistence supplies to be issued to inhabitants of the island of Cuba who are destitute and in imminent danger of perishing unless they receive the same, one hundred thousand dollars.

\* \* \* \* \*

SEC. 2. That no property, franchises, or concessions of any kind whatever shall be granted by the United States, or by any military or other authority whatever, in the Island of Cuba during the occupation thereof by the United States.

No concessions, franchises, etc., granted in Cuba during military occupation.

*Fifty-sixth Congress, first session.*

CHAP. 15.—An Act Relating to Cuban vessels.

February 10, 1900.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* vessels owned by citizens of Cuba and documented as such by officers of the United States shall hereafter be entitled in ports of the United States to the rights and privileges of vessels of the most favored nation, and they and their cargoes shall be subject to no higher charges in ports of the United States than are imposed on the vessels and cargoes of the most favored nation in the same trade.

[Public, No. 15.]  
31 Stats. L., p. 27.  
Cuban vessels to have rights of most favored nations, etc.

SEC. 2. That the Secretary of the Treasury is hereby authorized to refund, out of any money in the Treasury not otherwise appropriated, upon application and satisfactory evidence, tonnage taxes and light dues which have been imposed on vessels owned by citizens of Cuba entering ports of the United States since April eleventh, eighteen hundred and ninety-nine, which have been in excess of the tonnage taxes prescribed by section eleven of the Act of June nineteenth, eighteen hundred and eighty-six.

Refund of dues, etc.

CHAP. 555.—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and one.

May 25, 1900.  
[Public, No. 121.]  
31 Stats. L., p. 191.

\* \* \* \* \*

MISCELLANEOUS.

\* \* \* \* \*

SOIL INVESTIGATIONS: \* \* \* to investigate the soils and conditions of growth in Cuba, Sumatra, and other competing countries; to investigate the methods of curing, with particular reference to fermentation; to originate, through selection and breeding, improved varieties of the principal tobacco districts of the United States, and to secure, as far as may be, a change in the methods of supplying tobacco to foreign countries; \* \* \* for materials, tools, instruments, apparatus, gas and electric current, supplies, and for traveling expenses, freight and express charges, twenty-five thousand dollars, of which sum ten thousand dollars, or so much thereof as may be necessary, may be expended by the Secretary of Agriculture for the purpose of demonstrating the practical value of underdrainage and other methods of reclaiming alkali lands. \* \* \*

\* \* \* \* \*

*Fifty-sixth Congress, second session.*

March 2, 1901. **CHAP. 803.**—An Act Making appropriation for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and two.  
 [Public, No. 118.]  
 31 Stats. L., p. 845.

\* \* \* \* \*

Cuba. *Provided further,* That in fulfillment of the declaration contained in the joint resolution approved April twentieth, eighteen hundred and ninety-eight, entitled, "For the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect," the President is hereby authorized to "leave the government and control of the island of Cuba to its people" so soon as a government shall have been established in said island under a constitution which, either as a part thereof or in an ordinance appended thereto, shall define the future relations of the United States with Cuba, substantially as follows:

Future relations with United States must be defined in Constitution.

## I.

Conditions.  
—treaties.

That the government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes or otherwise, lodgment in or control over any portion of said island.

## II.

—public debt.

That said government shall not assume or contract any public debt, to pay the interest upon which, and to make reasonable sinking fund provision for the ultimate discharge of which, the ordinary revenues of the island, after defraying the current expenses of government shall be inadequate.

## III.

—intervention by United States.

That the government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the government of Cuba.

## IV.

—acts of United States during military occupancy ratified.

That all Acts of the United States in Cuba during its military occupancy thereof are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.



March 3, 1901. **CHAP. 831.**—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, [Public.No.138.] 31 Stats. L., p. 1010. nineteen hundred and one, and for prior years, and for other purposes.

\* \* \* \*

TREASURY DEPARTMENT.

\* \* \* \*

Reimburse-  
ment of Cuban  
revenues. **REIMBURSEMENT OF CUBAN REVENUES:** To enable the Secretary of the Treasury to reimburse the revenues of the island of Cuba for the amount expended in said island in furnishing information to the Secretary of War, as directed by him, relating to receipts and expenditures in said island, heretofore paid from said revenues, the sum of fifteen thousand seven hundred and eighty-six dollars and ninety-one cents.

\* \* \* \*

*Fifty-seventh Congress, first session.*

May 16, 1902. **CHAP. 792.**—An Act Making appropriations for the diplomatic and consular service in the Republic of Cuba. [Public.No.116.] 32 Stats. L., pt. 1, p. 199.

Cuba. Appropriation for diplomatic and consular service in. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and they are hereby, severally appropriated, in full compensation for the diplomatic and consular service of the United States in the Republic of Cuba for the fiscal year ending June thirtieth, nineteen hundred and three, and from May twentieth, nineteen hundred and two, until and including June thirtieth, nineteen hundred and two, out of any money in the Treasury not otherwise appropriated, for the objects hereinafter expressed, namely:

Salaries.  
Ministers and  
secretaries. For salaries of minister and secretaries: Envoy extraordinary and minister plenipotentiary to Cuba, twelve thousand dollars; secretary of legation to Cuba, two thousand dollars; second secretary of legation to Cuba, one thousand five hundred dollars.

Consul-general and consuls. For salaries of consul-general and consuls: Consul-general at Habana, five thousand dollars; consul at Cienfuegos, three thousand dollars; consul at Santiago de Cuba, three thousand dollars.

June 3, 1902. **CHAP. 985.**—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and three. [Public.No.139.] 32 Stats. L., pt. 1, p. 286.

\* \* \* \*

DEPARTMENT OF AGRICULTURE.

\* \* \* \*

Tobacco. **GENERAL EXPENSES, BUREAU OF SOILS** \* \* \* to investigate the soils and conditions of tobacco growth in



Cuba, Sumatra, and other tobacco-competing countries; to investigate, in cooperation with the Bureau of Plant Industry, the methods of curing, with particular reference to fermentation; to originate, through selection and breeding, improved varieties for the principal tobacco districts of the United States, and to secure, as far as may be, a change in the methods of supplying tobacco to foreign countries; \* \* \* one hundred and thirty thousand dollars. \* \* \*

\* \* \* \* \*

**CHAP. 1351.**—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and two, and for prior years, and for other purposes. July 1, 1902.  
[Public No. 217.]  
32 Stats. L., pt. 1, p. 552.

\* \* \* \* \*

DEPARTMENT OF STATE.

\* \* \* \* \*

FOREIGN INTERCOURSE.

For equipment of the legation of the United States in Cuba and for necessary expenses of the legation and for necessary contingent expenses of the legation, including clerk hire, messenger service, janitor, stationery, blank forms, blank books, books for the legation library, and all other requisite and necessary expenses of the legation, to be expended under the direction of the Secretary of State and to continue available for the fiscal year nineteen hundred and three, five thousand dollars. Cuba.  
Legation ex-  
penses.

For clerk hire at consulates in Cuba, to be expended under the direction of the Secretary of State, and to continue available for the fiscal year nineteen hundred and three, namely: At Habana, two thousand dollars; at Cienfuegos, five hundred dollars; at Santiago, five hundred dollars; in all, three thousand dollars. Consulates.  
Clerk hire.  
  
Habana.  
Cienfuegos.  
Santiago.

For contingent expenses of consulates in Cuba, to be expended under the direction of the Secretary of State, and to continue available during the fiscal year nineteen hundred and three, ten thousand dollars. Contingent  
expenses.

\* \* \* \* \*

*Fifty-seventh Congress, second session.*

**CHAP. 187.**—An Act For the refund of certain tonnage taxes. January 14, 1903.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* the Secretary of the Treasury be, and he is hereby, authorized and directed to refund, out of any money in the Treasury not otherwise appropriated, additional tonnage taxes, at the rate of one dollar per ton, amounting to seven [Public No. 26.]  
32 Stats. L., pt. 1, p. 770.  
Steamers  
"Santiago de  
Cuba," "Santi-  
ago," "Cienfue-  
gos," and "Olin-  
da."  
Tonnage tax  
refunded to.

thousand three hundred and fifty-two dollars, heretofore levied on the steamers Santiago de Cuba, Santiago, Cienfuegos, and Olinda on entry at New York from Cuban ports.

March 3, 1903. **CHAP. 1007.**—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and four, and for other purposes.  
[Public, No. 157.]  
32 Stats. L., pt. 1, p. 1083.

\* \* \* \* \*

UNDER THE WAR DEPARTMENT.

\* \* \* \* \*

Miscellaneous. MISCELLANEOUS OBJECTS, WAR DEPARTMENT.

\* \* \* \* \*

Cuba.  
Care of civil records, etc. **CARE OF CIVIL RECORDS OF THE LATE MILITARY GOVERNMENT OF CUBA:** For classification, arrangement, care, and storage of the civil records of the late military government of occupation of Cuba, including hire of clerks, messengers, and every other necessary expense in connection therewith, eleven thousand two hundred and eighty dollars, to be immediately available. \* \* \*  
\* \* \* \* \*

March 3, 1903. **CHAP. 1008.**—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and four.  
[Public, No. 158.]  
32 Stats. L., pt. 1, p. 1147.

\* \* \* \* \*

DEPARTMENT OF AGRICULTURE.

\* \* \* \* \*

Tobacco. **GENERAL EXPENSES, BUREAU OF SOILS:** \* \* \* to investigate the soils and conditions of tobacco growth in Cuba, Sumatra, and other tobacco-competing countries; to investigate, in cooperation with the Bureau of Plant Industry, the methods of curing, with particular reference to fermentation; to originate, through selection and breeding, improved varieties for the principal tobacco districts of the United States, and to secure, as far as may be, a change in the methods of supplying tobacco to foreign countries; \* \* \* one hundred and seventy thousand dollars. \* \* \*  
\* \* \* \* \*

LEGISLATION APPLICABLE TO ALL THE INSULAR POSSESSIONS AND CUBA.

Fifty-fifth Congress, third session.

CHAP. 424.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes. March 3, 1899.  
[Public.No.188.]  
30 Stats. L., p.  
1074.

\* \* \* \* \*

UNDER THE TREASURY DEPARTMENT.

\* \* \* \* \*

COAST AND GEODETIC SURVEY.

For every expenditure requisite for and incident to the survey of the coasts of the United States and of coasts under the jurisdiction of the United States, including the survey of rivers to the head of tide water or ship navigation; \* \* \* to be expended in accordance with the regulations relating to the Coast and Geodetic Survey from time to time prescribed by the Secretary of the Treasury, and under the following heads. Expenses survey of seacoasts, etc.

\* \* \* \* \*

FOR FIELD EXPENSES: For surveys and necessary resurveys of the Atlantic and Gulf coasts of the United States, including the coasts of outlying islands under the jurisdiction of the United States, to be immediately available, and to continue available until expended: *Provided*, That not more than twenty-five thousand dollars of this amount shall be expended on the coasts of the before-mentioned outlying islands, seventy thousand dollars. Field expenses.  
  
Proviso.  
Outlying islands.

For surveys and necessary resurveys of the Pacific coast, including the Hawaiian Islands and Alaska and other coasts on the Pacific Ocean under the jurisdiction of the United States, to be immediately available, and to remain available until expended: *Provided*, That not more than twenty-five thousand dollars of this amount shall be expended outside of Alaska and the Pacific coast of the United States, seventy thousand dollars. Hawaiian Islands, Alaska, etc.  
  
Proviso.  
Expenditures outside Alaska, etc.

For continuing researches in physical hydrography relating to harbors and bars, and for tidal and current observations on the coast of the United States, or other coasts under the jurisdiction of the United States, five thousand dollars.

For off-shore soundings and examination of reported dangers on the coast of the United States, and of coasts under the jurisdiction of the United States, and to continue the compilation of the Coast Pilot, and to make special hydrographic examinations, and including the em-

ployment of such pilots and nautical experts in the field and office as may be necessary for the same, ten thousand one hundred dollars.

For continuing magnetic observations and to establish meridian lines in connection therewith in all parts of the United States, and for making magnetic observations in other regions under the jurisdiction of the United States, for continuing the line of exact levels between the Atlantic, Pacific, and Gulf coasts; for furnishing points to State surveys, to be applied, as far as practicable in States where points have not been furnished; for determinations of geographical positions and for continuing gravity observations, twenty-seven thousand dollars. \* \* \*

\* \* \* \* \*

*Fifty-sixth Congress, first session.*

April 4, 1900. **CHAP. 159.**—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and one.  
[Public, No. 57.]  
31 Stats. L., p. 60.

\* \* \* \* \*

**RÉLIEF AND PROTECTION OF AMERICAN SEAMEN.**

Relief and protection of American seamen in foreign countries, and shipwrecked American seamen in the Territory of Alaska, in the Hawaiian Islands, Cuba, Puerto Rico, and the Philippine Islands, or so much thereof as may be necessary, thirty thousand dollars.

\* \* \* \* \*

May 21, 1900. **CHAP. 600.**—An Act To facilitate the entry of steamships engaged in the coasting trade between Porto Rico and the Territory of Hawaii and the United States.  
[Public, No. 153.]  
31 Stats. L., p. 249.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act of June fifth, eighteen hundred and ninety-four, entitled "An Act to facilitate the entry of steamships," are hereby extended to steamships engaged in trading between ports of Porto Rico and the Territory of Hawaii and those of the United States.*

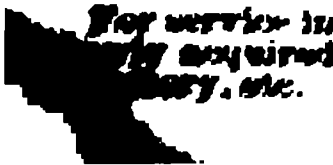
June 2, 1900. **CHAP. 613.**—An Act Making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, nineteen hundred and one.  
[Public, No. 154.]  
31 Stats. L., p. 252.

\* \* \* \* \*

**OFFICE OF THE POSTMASTER-GENERAL.**

\* \* \* \* \*

For postal service in the newly acquired territory in Porto Rico, the Hawaiian Islands, and the Philippine Islands, or territory held by military occupation, and for



additional transportation to and from said territory, also including postal service for all military camps or stations, to be used in the discretion of the Postmaster-General, two hundred thousand dollars: \* \* \*

\* \* \* \* \*

For transportation of foreign mails, two million two hundred and forty-eight thousand dollars, including additional compensation to the Oceanic Steamship Company for transporting the mails by its steamers sailing from San Francisco to New Zealand and New South Wales by way of Honolulu, all mails made up in the United States destined for the Hawaiian Islands, the Australian colonies, New Caledonia, and the islands in the Pacific Ocean, eighty thousand dollars: *Provided*, That the sum paid the said Oceanic Steamship Company shall not exceed two dollars per mile, as authorized by Act of March third, eighteen hundred and ninety-one, entitled "An Act to provide for ocean mail service between the United States and foreign ports, and to promote commerce." \* \* \*

Foreign mails.  
Oceanic  
Steamship Com-  
pany.

*Provisos.*  
—limit per mile.  
Clerks on  
steamers.

\* \* \* \* \*

**CHAP. 785.**—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred, and for prior years, and for other purposes.

June 6, 1900.

[Public, No. 157.]  
31 Stats. L., p.  
280.

\* \* \* \* \*

TREASURY DEPARTMENT.

Treasury De-  
partment.

CONTINGENT EXPENSES.

Contingent  
expenses.

\* \* \* \* \*

**QUARANTINE SERVICE:** For the maintenance and ordinary expenses, including pay of officers and employees of quarantine stations at Delaware Breakwater, Reedy Island, Cape Charles and supplemental station, Cape Fear, Savannah, South Atlantic, Brunswick, Gulf, Tortugas, San Diego, San Francisco, Columbia River, Port Townsend, and in Porto Rico and Hawaii, thirty-five thousand dol-  
lars. \* \* \*

Quarantine  
service.

\* \* \* \* \*

**CHAP. 791.**—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes.

June 6, 1900.

[Public, No. 163.]  
31 Stats. L., p.  
588.

\* \* \* \* \*

UNDER THE TREASURY DEPARTMENT.

\* \* \* \* \*

COAST AND GEODETIC SURVEY.

For every expenditure requisite for and incident to the survey of the coasts of the United States and of coasts under the jurisdiction of the United States, including the survey of rivers to the head of tide water or ship naviga-

Expenses sur-  
vey of seacoasts,  
etc.

tion; \* \* \* to be expended in accordance with the regulations relating to the Coast and Geodetic Survey from time to time prescribed by the Secretary of the Treasury, and under the following heads:

\* \* \* \* \*

**Field expenses.** **FOR FIELD EXPENSES:** For surveys and necessary resurveys of the Atlantic and Gulf coasts of the United States, including the coasts of outlying islands under the jurisdiction of the United States, to be immediately available, and to continue available until expended: *Provided*, That not more than twenty-five thousand dollars of this amount shall be expended on the coasts of the before-mentioned outlying islands, seventy thousand dollars;

**Outlying islands.** For surveys and necessary resurveys of the Pacific coast, including the Hawaiian Islands and Alaska and other coasts on the Pacific Ocean under the jurisdiction of the United States, to be immediately available, and to continue available until expended, one hundred and seven thousand five hundred dollars;

**Hawaiian islands, Alaska, etc.**

For continuing researches in physical hydrography relating to harbors and bars, and for tidal and current observations on the coasts of the United States, or other coasts under the jurisdiction of the United States, five thousand dollars;

For offshore soundings and examination of reported dangers on the coasts of the United States, and of coasts under the jurisdiction of the United States, and to continue the compilation of the Coast Pilot, and to make special hydrographic examinations, and including the employment of such pilots and nautical experts in the field and office as may be necessary for the same, ten thousand one hundred dollars;

For continuing magnetic observations and to establish meridian lines in connection therewith in all parts of the United States, and for making magnetic observations in other regions under the jurisdiction of the United States, including the purchase of additional magnetic instruments, and the lease of sites where necessary and the erection of temporary magnetic buildings, for continuing the line of exact levels between the Atlantic, Pacific, and Gulf coasts; for furnishing points to State surveys, to be applied as far as practicable in States where points have not been furnished; for determinations of geographical positions and for continuing gravity observations, fifty thousand dollars;

\* \* \* \* \*

June 6, 1901.

Public Notice  
31 Stat. L., p.  
67.

Extradition  
with countries  
under control  
of the United  
States.

sec. 370  
amended.

**CHAP. 793.**—An Act Amending section fifty-two hundred and seventy of the Revised Statutes of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* section fifty-two hundred and seventy of the Revised Statutes of the United States is hereby amended by adding thereto the following proviso:

*“Provided, That whenever any foreign country or ter-*



ritory, or any part thereof, is occupied by or under the control of the United States, any person who shall violate, or who has violated, the criminal laws in force therein, by the commission of any of the following offenses, namely: Murder and assault with intent to commit murder; counterfeiting or altering money, or uttering or bringing into circulation counterfeit or altered money; counterfeiting certificates or coupons of public indebtedness, bank notes, or other instruments of public credit, and the utterance or circulation of the same; forgery or altering, and uttering what is forged or altered; embezzlement or criminal malversation of the public funds, committed by public officers, employees, or depositaries; larceny or embezzlement of an amount not less than one hundred dollars in value; robbery; burglary, defined to be the breaking and entering by nighttime into the house of another person with intent to commit a felony therein; and the act of breaking and entering the house or building of another, whether in the day or night time, with the intent to commit a felony therein; the act of entering, or of breaking and entering the offices of the Government and public authorities, or the offices of banks, banking houses, savings banks, trust companies, insurance or other companies, with the intent to commit a felony therein; perjury or the subornation of perjury; rape; arson; piracy by the law of nations; murder, assault with intent to kill, and manslaughter, committed on the high seas, on board a ship owned by or in control of citizens or residents of such foreign country or territory and not under the flag of the United States, or of some other government; malicious destruction of or attempt to destroy railways, trams, vessels, bridges, dwellings, public edifices, or other buildings, when the act endangers human life, and who shall depart or flee, or who has departed or fled, from justice therein to the United States, any Territory thereof or to the District of Columbia, shall, when found therein, be liable to arrest and detention by the authorities of the United States, and on the written request or requisition of the military governor or other chief executive officer in control of such foreign country or territory shall be returned and surrendered as hereinafter provided to such authorities for trial under the laws in force in the place where such offense was committed. All the provisions of sections fifty-two hundred and seventy to fifty-two hundred and seventy-seven of this title, so far as applicable, shall govern proceedings authorized by this proviso: *Provided further*, That such proceedings shall be had before a judge of the courts of the United States only, who shall hold such person on evidence establishing probable cause that he is guilty of the offense charged: *And provided further*, That no return or surrender shall be made of any person charged with the commission of any offense of a political nature. If so held such person shall be returned and surrendered to the authorities in control of such foreign country or territory on the order of the Secretary of State of the United States, and such authorities shall secure to such a person a fair and impartial trial."

Extraditable  
offenses speci-  
fied.

Procedure.  
R.S. secs. 5270-  
5277, pp. 1021, 1022.

Proviso.  
Political of-  
fenses excepted.

June 6, 1900. **CHAP. 797.**—An Act To provide better facilities for the safe-keeping and disbursement of public moneys in the Philippine Islands and in the islands of Cuba and Porto Rico.  
 [Public.No.169.]  
 31 Stats. L., p. 658.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That*  
 Cuba, Porto Rico, and Phil- the Secretary of the Treasury is hereby authorized to des-  
 ippines. ignate one or more banks or bankers in the Philippine  
 Designation of depositories for Islands and in the islands of Cuba and Porto Rico in which  
 public moneys. public moneys may be deposited: *Provided*, That the banks  
*Provisos.* or bankers thus designated shall give satisfactory security  
 Security de- for the safe-keeping and prompt payment of the public  
 posit. moneys so deposited by depositing in the Treasury, United  
 States bonds to an amount not less than the aggregate sum  
 Application to at any time on deposit with such banks or bankers: *And*  
 Cuba. *provided further*, That this Act shall apply to Cuba only  
 while occupied by the United States.

June 6, 1900. **CHAP. 820.**—An Act To amend an Act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and so forth.  
 [Public.No.192.]  
 31 Stats. L., p. 683.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That*  
 Territories. the Act of Congress approved July thirtieth, eighteen hun-  
 dred and eighty-six, entitled “An Act to prohibit the pas-  
 sage of local or special laws of the Territories of the United  
 States, to limit Territorial indebtedness, and for other pur-  
 poses,” is hereby amended so as to permit, authorize, and  
 Municipal legal-ize the issuance of bonds by chartered municipal cor-  
 bond issues for porations having a bona fide population of not less than  
 city buildings and sites au- ten thousand persons, in any Territory of the United States,  
 thorized. for erecting a city building and purchasing the ground for  
 the same. The limitations of said Act of July thirtieth,  
 eighteen hundred and eighty-six, shall not apply to such  
*Provisos.* municipal corporations: *Provided*, That before any bonds  
 Election to shall be issued the mayor and common council of such  
 precede issue. municipal corporation shall cause an election to be held in  
 —notice of. such city or town, and the mayor and common council of  
 such municipal corporation shall cause to be published in  
 a newspaper of general circulation published in said city  
 or town a notice of the time and place or places of holding  
 --qualified such election. Such notice shall be given not more than  
 voters. sixty nor less than thirty days before such election. On  
 the question of the issuance of said bonds no person shall  
 be qualified to vote except he be in all respects a qualified  
 elector and owner of real or personal property subject to  
 taxation within the municipality. In case two-thirds of  
 the qualified voters, as above described, shall vote affirm-  
 atively for the issuance of said bonds, then the mayor and  
 common council shall issue the same, and not otherwise.  
 Form, inter- Said bonds shall contain all necessary provisions as to  
 est, etc. form, and such municipality shall provide a proper sink-  
 ing fund for the redemption of said bonds. Said bonds  
 shall not bear a rate of interest exceeding five per centum,

and the interest shall be paid semiannually, and none of said bonds shall be sold at less than their par value: *Provided further*, That no city under this Act shall issue bonds in excess of thirty thousand dollars. Limit of issue.

*Fifty-sixth Congress, second session.*

**CHAP. 802.**—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and two. March 2, 1901.  
[Public, No. 116.]  
31 Stats. L., p. 882.

\* \* \* \* \*

RELIEF AND PROTECTION OF AMERICAN SEAMEN.

Relief and protection of American seamen in foreign countries, and shipwrecked American seamen in the Territory of Alaska, in the Hawaiian Islands, Cuba, Porto Rico, and the Philippine Islands, or so much thereof as may be necessary, thirty thousand dollars. \* \* \*

\* \* \* \* \*

**CHAP. 853.**—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and two, and for other purposes. March 3, 1901.  
[Public, No. 158.]  
31 Stats. L., p. 1133.

\* \* \* \* \*

UNDER THE TREASURY DEPARTMENT.

\* \* \* \* \*

COAST AND GEODETIC SURVEY.

For every expenditure requisite for and incident to the survey of the coasts of the United States and of coasts under the jurisdiction of the United States, including the survey of rivers to the head of tide water or ship navigation; deep-sea soundings, temperature and current observations along the coast and throughout the Gulf Stream and Japan Stream flowing off the said coasts; tidal observations; the necessary resurveys; the preparation of the Coast Pilot; \* \* \* Expenses survey of seacoasts, etc.

\* \* \* \* \*

**FOR FIELD EXPENSES:** For surveys and necessary resurveys of the Atlantic and Gulf coasts of the United States, including the coasts of outlying islands under the jurisdiction of the United States, to be immediately available, and to continue available until expended: *Provided*, That not more than twenty-five thousand dollars of this amount shall be expended on the coasts of the before-mentioned outlying islands, seventy thousand dollars. Field expenses.  
  
Proviso.  
Outlying islands.

For surveys and necessary resurveys of the Pacific coast,

Hawaiian Is-  
lands Alaska.  
etc.

including the Hawaiian Islands and Alaska and other coasts on the Pacific Ocean under the jurisdiction of the United States, to be immediately available, and to continue available until expended, one hundred and seven thousand five hundred dollars.

For continuing researches in physical hydrography relating to harbors and bars, and for tidal and current observations on the coasts of the United States, or other coasts under the jurisdiction of the United States, five thousand dollars.

For offshore soundings and examination of reported dangers on the coasts of the United States, and of coasts under the jurisdiction of the United States, and to continue the compilation of the Coast Pilot, and to make special hydrographic examinations, and including the employment of such pilots and nautical experts in the field and office as may be necessary for the same, ten thousand one hundred dollars.

For continuing magnetic observations and to establish meridian lines in connection therewith in all parts of the United States, and for making magnetic observations in other regions under the jurisdiction of the United States, including the purchase of additional magnetic instruments, and the lease of sites where necessary and the erection of temporary magnetic buildings; for continuing the line of exact levels between the Atlantic, Pacific, and Gulf coasts: \* \* \* fifty thousand dollars.

\* \* \* \* \*

March 3, 1901.

Public No. 178.  
31 Stats. L., p.  
1448.

**CHAP. 871.**—An Act To amend section fifty-one hundred and fifty-three of the Revised Statutes of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* section fifty-one hundred and fifty-three of the Revised Statutes of the United States be amended to read as follows:

National  
banks deposi-  
taries of public  
moneys, except  
customs re-  
ceipts

exception not  
applicable to  
Hawaii, Alaska,  
etc.

R. S., sec. 5153  
p. 995, amended.

“SEC. 5153. All national banking associations, designated for that purpose by the Secretary of the Treasury, shall be depositaries of public money, except receipts from customs, under such regulations as may be prescribed by the Secretary, but receipts derived from duties on imports in Alaska, the Hawaiian Islands, and other islands under the jurisdiction of the United States may be deposited in such depositaries subject to such regulations; and such depositaries may also be employed as financial agents of the Government; and they shall perform all such reasonable duties as depositaries of public moneys and financial agents of the Government as may be required of them. The Secretary of the Treasury shall require the associations thus designated to give satisfactory security, by the deposit of United States bonds and otherwise, for the safe-keeping and prompt payment of the public money deposited with them, and for the faithful performance of their duties

as financial agents of the Government. And every association so designated as receiver or depositary of the public money shall take and receive at par all of the national currency bills, by whatever association issued, which have been paid into the Government for internal revenue or for loans or stocks."

*Fifty-seventh Congress, first session.*

**CHAP. 17.**—An Act Making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and two, and for prior years, and for other purposes. February 14, 1902.  
[Public, No. 9.]  
32 Stats. L., pt. 1, p. 5.

\* \* \* \* \*

DEPARTMENT OF JUSTICE.

\* \* \* \* \*

**INSULAR AND TERRITORIAL AFFAIRS:** For defraying the necessary expenses incurred in the conduct of insular and other territorial matters and affairs within the jurisdiction of the Department of Justice, including the payment of the necessary employees at the seat of government or elsewhere, to be selected and their compensation fixed by the Attorney-General, and to be expended under his direction, twelve thousand five hundred dollars. Insular and Territorial affairs.  
Expenses.

\* \* \*

\* \* \* \* \*

**CHAP. 272.**—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and three. March 22, 1902.  
[Public, No. 54.]  
32 Stats. L., pt. 1, p. 76.

\* \* \* \* \*

RELIEF AND PROTECTION OF AMERICAN SEAMEN.

Relief and protection of American seamen in foreign countries, and shipwrecked American seamen in the Territory of Alaska, in the Hawaiian Islands, Cuba, Porto Rico, and the Philippine Islands, or so much thereof as may be necessary, thirty thousand dollars. \* \* \*

\* \* \* \* \*

**CHAP. 273.**—An Act For the acknowledgment of deeds and other instruments in the Philippine Islands and Porto Rico affecting land situate in the District of Columbia or any Territory of the United States. March 22, 1902.  
[Public, No. 55.]  
32 Stats. L., pt. 1, p. 88.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* deeds and other instruments affecting land situate in the District of Columbia or any Territory of the United States may be acknowledged in the Philippine Islands and Porto Rico before any notary public appointed therein by proper authority or any officer therein who has ex officio the Philippine Islands and Porto Rico.  
Deeds, etc., affecting lands in District of Columbia and Territories may be acknowledged before notaries in.

*Proviso.*  
*Certification*  
of notary's  
power. powers of a notary public: *Provided*, That the certificate by such notary in the Philippine Islands or in Porto Rico, as the case may be, shall be accompanied by the certificate of the attorney-general of Porto Rico or the governor or attorney-general of the Philippine Islands to the effect that the notary taking said acknowledgment was in fact the officer he purported to be.

April 29, 1902. **CHAP. 637.**—An Act To facilitate the procurement of statistics of trade between the United States and its noncontiguous territory.  
[Public. No. 40.]  
32 Stats. L., pt.  
1, p. 172.

*Shipping.*  
*Documents*  
required, trade  
with Hawaii,  
Porto Rico,  
Alaska, Philip-  
pines, and  
Guam. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions of sections four thousand one hundred and ninety-seven to four thousand two hundred, inclusive, of the Revised Statutes of the United States, requiring statements of quantity and value of goods carried by vessels clearing from the United States to foreign ports, shall be extended to and govern, under such regulations as the Secretary of the Treasury shall prescribe, in the trade between the United States and Hawaii, Porto Rico, Alaska, the Philippine Islands, Guam, and its other noncontiguous territory, and shall also govern in the trade conducted between said islands and territory, and in shipments from said islands or territory to other parts of the United States: *Provided*, That this law shall not apply in the Philippine Islands during such time as the collectors of customs of those islands are under the jurisdiction of the War Department.

April 29, 1902. **CHAP. 641.**—An Act To prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.  
[Public. No. 90.]  
32 Stats. L., pt.  
1, p. 176.

*Chinese ex-*  
*clusion.*  
*Immigration*  
prohibited.  
*Prohibition*  
extended to is-  
land territories. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all laws now in force prohibiting and regulating the coming of Chinese persons, and persons of Chinese descent, into the United States, and the residence of such persons therein, including sections five, six, seven, eight, nine, ten, eleven, thirteen, and fourteen of the Act entitled "An Act to prohibit the coming of Chinese laborers into the United States" approved September thirteenth, eighteen hundred and eighty-eight, be, and the same are hereby, re-enacted, extended, and continued so far as the same are not inconsistent with treaty obligations, until otherwise provided by law, and said laws shall also apply to the island territory under the jurisdiction of the United States, and prohibit the immigration of Chinese laborers, not citizens of the United States, from such island territory to the mainland territory of the United States, whether in such island territory at the time of cession or not, and from one portion of the island territory of the United States to another portion of said island

*Immigration*  
from island ter-  
ritories to main-  
land prohibited.



territory: *Provided, however,* That said laws shall not apply to the transit of Chinese laborers from one island to another island of the same group; and any islands within the jurisdiction of any State or the District of Alaska shall be considered a part of the mainland under this section.

*Proviso.*  
Transit per-  
mitted.

SEC. 2. That the Secretary of the Treasury is hereby authorized and empowered to make and prescribe, and from time to time to change, such rules and regulations not inconsistent with the laws of the land as he may deem necessary and proper to execute the provisions of this Act and of the Acts hereby extended and continued and of the treaty of December eighth, eighteen hundred and ninety-four, between the United States and China, and with the approval of the President to appoint such agents as he may deem necessary for the efficient execution of said treaty and said Acts.

Secretary of  
Treasury to pre-  
scribe regula-  
tions, etc.

SEC. 3. That nothing in the provisions of this Act or any other Act shall be construed to prevent, hinder, or restrict any foreign exhibitor, representative, or citizen of any foreign nation, or the holder, who is a citizen of any foreign nation, of any concession or privilege from any fair or exposition authorized by Act of Congress from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparation for installing or conducting their exhibits or of preparing for installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been or may be granted by any said fair or exposition in connection with such exposition, under such rules and regulations as the Secretary of the Treasury may prescribe, both as to the admission and return of such person or persons.

Alien contract  
labor.  
Permission to  
foreign exhibit-  
ors at exposi-  
tions authorized  
by Congress.

Regulations.

SEC. 4. That it shall be the duty of every Chinese laborer, other than a citizen, rightfully in, and entitled to remain in any of the insular territory of the United States (Hawaii excepted) at the time of the passage of this Act, to obtain within one year thereafter a certificate of residence in the insular territory wherein he resides, which certificate shall entitle him to residence therein, and upon failure to obtain such certificate as herein provided he shall be deported from such insular territory; and the Philippine Commission is authorized and required to make all regulations and provisions necessary for the enforcement of this section in the Philippine Islands, including the form and substance of the certificate of residence so that the same shall clearly and sufficiently identify the holder thereof and enable officials to prevent fraud in the transfer of the same: *Provided, however,* That if said Philippine Commission shall find that it is impossible to complete the registration herein provided for within one year from the passage of this Act, said Commission is hereby authorized and empowered to extend the time for such registration for a further period not exceeding one year.

Certificates of  
residence of  
Chinese in in-  
sular territory.

Philippine  
Commission to  
prescribe regu-  
lations, etc.

*Proviso.*  
Registration  
time may be ex-  
tended.

June 14, 1902. **CHAP. 1088.**—An Act To amend sections four thousand and seventy-six, four thousand and seventy-eight, and four thousand and seventy-five of the Revised Statutes.  
[Public.No.158.]  
32Stats.L., pt. 1, p. 386.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That*  
**Passports.**  
**Issue, etc., in**  
**insular posses-**  
**sions.**  
R. S., sec. 4075,  
p. 785, amended.  
section four thousand and seventy-five of the Revised Statutes of the United States is hereby amended by inserting after the phrase "consular officers of the United States" the following: "and by such chief or other executive officer of the insular possessions of the United States."

**Allegiance**  
**necessary.**  
R. S., sec. 4076,  
p. 786, amended.  
**SEC. 2.** That section four thousand and seventy-six of the Revised Statutes is hereby amended so as to read as follows: "No passport shall be granted or issued to or verified for any other persons than those owing allegiance, whether citizens or not, to the United States."

**Passports to**  
**persons not ow-**  
**ing allegiance,**  
**prohibited.**  
R. S., sec. 4078,  
p. 786, amended.  
**SEC. 3.** That section four thousand and seventy-eight is hereby amended so as to read: "If any person acting or claiming to act in any office or capacity under the United States, its possessions, or any of the States of the United States, who shall not be lawfully authorized so to do, shall grant, issue, or verify any passport or other instrument in the nature of a passport to or for any person whomsoever, or if any consular officer who shall be authorized to grant, issue, or verify passports shall knowingly and willfully grant, issue, or verify any such passport to or for any person not owing allegiance, whether a citizen or not, to the United States, he shall be imprisoned for not more than one year or fined not more than five hundred dollars, or both; and may be charged, proceeded against, tried, convicted, and dealt with therefor in the district where he may be arrested or in custody."

**Punishment**  
**for violation.**

**Trial, etc.**

June 28, 1902. **CHAP. 1301.**—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes.  
[Public.No.182.]  
32Stats.L., pt. 1, p. 419.

\* \* \* \* \*

UNDER THE TREASURY DEPARTMENT.

\* \* \* \* \*

COAST AND GEODETIC SURVEY.

**Survey of**  
**coasts under the**  
**jurisdiction of**  
**the United**  
**States.**  
For every expenditure requisite for and incident to the survey of the coasts of the United States and of coasts under the jurisdiction of the United States, \* \* \* to be expended in accordance with the regulations relating to the Coast and Geodetic Survey from time to time prescribed by the Secretary of the Treasury, and under the following heads:

\* \* \* \* \*

**Field ex-**  
**penses.**  
**FOR FIELD EXPENSES:** For surveys and necessary resurveys of the Atlantic and Gulf coasts of the United States, including the coasts of outlying islands under the jurisdiction of the United States, to be immediately available

and to continue available until expended: *Provided*, That Proviso.  
not more than twenty-five thousand dollars of this amount Limit of ex-  
shall be expended on the coasts of the before-mentioned penditures.  
outlying islands, seventy thousand dollars.

For surveys and necessary resurveys of the Pacific coast, Pacific coast,  
including the Hawaiian Islands and Alaska and other etc.  
coasts on the Pacific Ocean under the jurisdiction of the  
United States, to be immediately available and to con-  
tinue available until expended, one hundred and seven  
thousand five hundred dollars.

For continuing researches in physical hydrography  
relating to harbors and bars, and for tidal and current  
observations on the coasts of the United States, or other  
coasts under the jurisdiction of the United States, five  
thousand dollars.

For offshore soundings and examination of reported Coast Pilot.  
dangers on the coasts of the United States, and of coasts  
under the jurisdiction of the United States, and to con-  
tinue the compilation of the Coast Pilot, and to make  
special hydrographic examinations, and including the  
employment of such pilots and nautical experts in the  
field and office as may be necessary for the same, fifteen  
thousand dollars.

\* \* \* \* \*

## UNDER THE WAR DEPARTMENT.

\* \* \* \* \*

BRINGING HOME THE REMAINS OF CIVIL EMPLOYEES OF Bringing home  
THE ARMY WHO DIE ABROAD AND SOLDIERS WHO DIE ON remains of civil  
TRANSPORTS: To enable the Secretary of War, in his dis- employees and  
cretion, to cause to be transported to their homes the soldiers dying  
remains of civilian employees of the Army who have died, on transports.  
or may hereafter die, while in the employ of the War  
Department in Cuba, Porto Rico, Hawaii, China, Alaska,  
and the Philippines, including the remains of any honor-  
ably discharged soldiers who are entitled under the terms  
of their discharge to return transportation on Government  
transport, and who die while on said transport, ten thou-  
sand dollars.

\* \* \* \* \*

## UNDER THE DEPARTMENT OF JUSTICE.

\* \* \* \* \*

### MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE.

\* \* \* \* \*

INSULAR AND TERRITORIAL AFFAIRS: For defraying the Insular, etc.,  
necessary expenses incurred in the conduct of insular and affairs.  
other territorial matters and affairs within the jurisdic-  
tion of the Department of Justice, including the payment  
of necessary employees at the seat of government or else-  
where, to be selected and their compensation fixed by the  
Attorney-General, and to be expended under his direc-  
tion, twenty-five thousand dollars. \* \* \*

\* \* \* \* \*

July 1, 1902. **CHAP. 1351.**—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and two, and for prior years, and for other purposes.

[Public No. 217.]  
32 Stats. L., pt.  
1, p. 552.

\* \* \* \* \*

## WAR DEPARTMENT.

\* \* \* \* \*

Cuba and Phil-  
ippines.

Statement of  
receipts and ex-  
penditures.

**STATEMENT OF RECEIPTS AND EXPENDITURES IN CUBA AND THE PHILIPPINE ISLANDS:** To enable the Secretary of War to employ temporary force and to pay all necessary expenses, including rent of rooms not to exceed one thousand five hundred dollars, in compiling for the information of Congress a detailed statement of the receipts and expenditures by the military government of Cuba since May first, nineteen hundred, in continuation and completion of the statement heretofore furnished of such receipts and expenditures covering the period from the beginning of American occupation to and including April thirtieth, nineteen hundred; and to enable the Secretary of War to pay all necessary expenses in compiling for the information of Congress a similar statement relating to the Philippine Islands of all receipts and expenditures from the date of American occupation, thirty thousand dollars, or so much thereof as may be necessary, to be available until expended.

\* \* \* \* \*

July 1, 1902. **CHAP. 1355.**—An Act For the further distribution of the reports of the Supreme Court, and for other purposes.

[Public No. 221.]  
32 Stats. L., pt.  
1, p. 631.

Supreme  
Court Reports.

Further dis-  
tribution of.

R. S., sec. 684,  
p. 195, amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* the Secretary of the Interior be, and he is hereby, authorized and directed to distribute to each of the following-named officers of the United States, additional to those named in section six hundred and eighty-three of the Revised Statutes, namely: Each assistant Attorney-General; the Solicitor of the Department of State; the Comptroller of the Currency; the Judge-Advocate-General, Navy Department; the Interstate Commerce Commission; the clerk of the Supreme Court of the United States; the marshal of the Supreme Court of the United States, and the attorney for the District of Columbia, one copy of each volume of the Official Reports of the Supreme Court of the United States, including those already published and those hereafter to be published, or a reprint of the same, or so many of said volumes as with those already in the possession of any of those officers will make a complete set; and he shall also distribute of the same reports to the law library of the Department of the Interior and the library of the Department of Justice each two sets, and to the marshal of said court, as custodian of public property used by same, three copies of said reports hereafter printed, for use in the conference room, the robing room, and the court room of said court for the use of the justices thereof, and to each United States circuit and district judge and

to each judge of the court of appeals of the District of Columbia who has not already been supplied, one set; and he shall also distribute to each additional United States judge hereafter appointed one complete set of said reports, which shall in all cases be transmitted to their successors in office, and to the Secretary of the Senate for the use of the committees of the Senate ten complete sets of said reports, and to the Clerk of the House of Representatives, to be distributed to and for the use of the committees of said House, ten complete sets of said reports.

SEC. 2. That the Secretary of the Interior shall likewise distribute to each of the places where circuit and district courts of the United States are now holden, including the Indian Territory, islands of Hawaii and Porto Rico, to which they have not already been supplied under the provisions of the Act of Congress approved February twelfth, eighteen hundred and eighty-nine, and to the Naval Academy at Annapolis and to the Military Academy at West Point, one complete set of the Reports of the Supreme Court, including those already published and those hereafter to be published, or a reprint of the same, or such volumes as with those already furnished will make one complete set, the judges holding such courts to select the edition of such reports to be supplied for such courts; and he shall also distribute to the Secretary of War twelve complete sets for the use of the proper courts and offices of the Philippine Islands and of the headquarters of military departments in the United States, in his discretion, and to each and every place where a new circuit and district court may be hereafter established one complete set of said reports; and the clerks of said courts shall, in all cases, keep these reports for the use of the courts and the officers thereof: *Provided, however,* That no distribution of reports under this section shall be made to any place where the court is not held in a building owned by the United States, or where there is no United States officer to whose responsible custody they can be committed.

To circuit and district courts.

Vol. 25, p. 661.  
Other places.

*Proviso.*  
Restriction.

SEC. 3. That, beginning with volume one hundred and eighty-three, the publishers of the decisions of the Supreme Court shall deliver to the Secretary of the Interior, in addition to the number heretofore supplied by law, one hundred and four copies of each and every volume of such decisions, and they shall also deliver the seventy-six additional copies provided for in the Act of February twelfth, eighteen hundred and eighty-nine, heretofore delivered by the reporter of the Supreme Court, twenty-five copies of which shall be deposited in the law library of the Supreme Court.

Additional copies from publishers.

SEC. 4. That the Secretary of the Interior shall likewise distribute to each United States judge to whom and to each place to which the Decisions of the Supreme Court are sent under the provisions of this Act or of prior laws, a copy of such digest now published, or in course of publication, of the Supreme Court Reports in four volumes covering the decisions of said court to the end of the October Term, eighteen hundred and ninety-eight, or a later period, and to cost not more than twenty-six dollars, as the several Judges and officials shall select respectively.

Distribution of digest.



Revised Statutes and supplements.

Distribution to members of Congress.

Provision.  
Personal use.

Limit.

Appropriation.

Provision.  
Maximum price.

SEC. 5. That the Secretary of the Interior shall, at the beginning of the first session of each Congress, distribute to each Senator and Representative in such Congress who may in writing apply for the same, one copy of the Revised Statutes of the United States and the supplements thereto: *Provided*, That such applicant shall certify in his written application for the same that the volumes for which he applies are intended for his personal use exclusively: *And provided further*, That no Senator or Representative during his term of service shall receive more than one copy of such Revised Statutes and supplements thereto.

SEC. 6. That such sum of money as is required to pay for the reports of the Supreme Court and for the digest, and for the Revised Statutes and supplements thereto, the delivery and distribution of which are provided for in this Act, is hereby appropriated, out of any money in the Treasury not otherwise appropriated: *Provided*, That not to exceed two dollars per volume shall be paid for such reports and twenty-six dollars per set for such digest, the said moneys to be disbursed under the direction of the Secretary of the Interior, and the Secretary of the Interior shall include in his annual estimates submitted to Congress an estimate for both the current volumes of reports and the additional sets of reports and digest, the distribution of which is provided for in this Act.

July 1, 1902.

[Public No. 223.]  
32 Stats. L., pt.  
1, p. 62.

CHAP. 1357.—An Act To prevent a false branding or marking of food and dairy products as to the State or Territory in which they are made or produced.

Dairy and food products.  
False labeling of place of origin forbidden.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That no person or persons, company or corporation, shall introduce into any State or Territory of the United States or the District of Columbia from any other State or Territory of the United States or the District of Columbia, or sell in the District of Columbia or in any Territory any dairy or food products which shall be falsely labeled or branded as to the State or Territory in which they are made, produced, or grown, or cause or procure the same to be done by others.

Penalty for violation.

SEC. 2. That if any person or persons violate the provisions of this Act, either in person or through another, he shall be guilty of a misdemeanor and shall be punished by a fine of not less than five hundred nor more than two thousand dollars; and that the jurisdiction for the prosecution of said misdemeanor shall be within the district of the United States court in which it is committed.

July 1, 1902.

[Public No. 242.]  
32 Stats. L., pt.  
1, p. 727.

CHAP. 1376.—An Act For the suppression of train robbery in the Territories of the United States and elsewhere, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That



if any person shall willfully and maliciously trespass upon or enter upon any railroad train, railroad car, or railroad locomotive, within any Territory of the United States, or any place subject to the exclusive jurisdiction or control thereof, with the intent to commit murder, robbery, or any unlawful violence upon or against any passenger on said train or car, or upon or against any engineer, conductor, fireman, brakeman, or any officer or employee connected with said locomotive, train, or car, or upon or against any express messenger or mail agent on said train, or in any such car thereof, or to commit any crime or offense against any person or property thereon, such person shall be punished by imprisonment not exceeding twenty years, or by fine not exceeding five thousand dollars, or both, at the discretion of the court.

Train robberies in Territories, etc.

Punishment.

SEC. 2. That any person who shall counsel, aid, abet, and assist in the perpetration of any of the offenses set forth in the preceding section shall be deemed to be principals therein.

Aiding and abetting.

SEC. 3. That upon the trial of any person charged with any offense set forth in this Act it shall not be necessary to set forth or prove the particular person against whom it was intended to commit the offense, or that it was intended to commit such offense against any particular person.

Proofs.

*Fifty-seventh Congress, second session.*

CHAP. 530.—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and four.

February 9, 1903.  
[Public, No. 73.]  
32 Stats. L., pt. 1, p. 807.

\* \* \* \* \*

RELIEF AND PROTECTION OF AMERICAN SEAMEN.

Relief and protection of American seamen in foreign countries, and shipwrecked American seamen in the Territory of Alaska, in the Hawaiian Islands, Porto Rico, and the Philippine Islands, or so much thereof as may be necessary, thirty thousand dollars. \* \* \*

\* \* \* \* \*

CHAP. 1007.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and four, and for other purposes.

March 3, 1903.  
[Public, No. 157.]  
32 Stats. L., pt. 1, p. 1083.

\* \* \* \* \*

UNDER THE TREASURY DEPARTMENT.

\* \* \* \* \*

COAST AND GEODETIC SURVEY.

For every expenditure requisite for and incident to the survey of the coasts of the United States and of coasts under the jurisdiction of the United States, \* \* \* to be expended in accordance with the regulations relating

Survey of coasts under the jurisdiction of the United States.

to the Coast and Geodetic Survey from time to time prescribed by the Secretary of the Treasury, and under the following heads:

	*	*	*	*	*
Field ex- penses.	FOR FIELD EXPENSES: For surveys and necessary resurveys of the Atlantic and Gulf coasts of the United States, including the coasts of outlying islands under the jurisdiction of the United States, to be immediately available, and to continue available until expended: <i>Provided</i> , That not more than twenty-five thousand dollars of this amount shall be expended on the coasts of the before-mentioned outlying islands, seventy thousand dollars.				
<i>Proviso.</i> Limit of ex- penditures.					
Pacific coast, etc.	For surveys and necessary resurveys of the Pacific coast, including the Hawaiian Islands and Alaska and other coasts on the Pacific Ocean under the jurisdiction of the United States, to be immediately available, and to continue available until expended, one hundred and seven thousand five hundred dollars.				
	For continuing researches in physical hydrography relating to harbors and bars, and for tidal and current observations on the coasts of the United States, or other coasts under the jurisdiction of the United States, six thousand four hundred dollars.				
Coast Pilot.	For offshore soundings and examination of reported dangers on the coasts of the United States, and of coasts under the jurisdiction of the United States, and to continue the compilation of the Coast Pilot, and to make special hydrographic examinations, and including the employment of such pilots and nautical experts in the field and office as may be necessary for the same, fifteen thousand dollars.				
Magnetic ob- servations.	For continuing magnetic observations and to establish meridian lines in connection therewith in all parts of the United States, and for making magnetic observations in other regions under the jurisdiction of the United States, including the purchase of additional magnetic instruments, and the lease of sites where necessary and the erection of temporary magnetic buildings; for continuing the line of exact levels between the Atlantic, Pacific, and Gulf coasts; for furnishing points to State surveys, to be applied as far as practicable in States where points have not been furnished; for determinations of geographical positions, and for continuing gravity observations, fifty thousand dollars.				
Points to State surveys.					
	*	*	*	*	*

UNDER THE WAR DEPARTMENT.

	*	*	*	*	*
	NATIONAL CEMETERIES.				
	*	*	*	*	*
Bringing home remains of civil employees and soldiers dying on transports.	BRINGING HOME THE REMAINS OF CIVIL EMPLOYEES OF THE ARMY WHO DIE ABROAD AND SOLDIERS WHO DIE ON TRANSPORTS: To enable the Secretary of War, in				

his discretion, to cause to be transported to their homes the remains of civilian employees of the Army, who have died, or may hereafter die, while in the employ of the War Department in Cuba, Porto Rico, Hawaii, China, Alaska, and the Philippines, including the remains of any honorably discharged soldiers who are entitled under the terms of their discharge to return transportation on Government transport, and who die while on said transport, five thousand dollars.

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UNDER THE DEPARTMENT OF JUSTICE.

\* \* \* \* \*

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE.

\* \* \* \* \*

INSULAR AND TERRITORIAL AFFAIRS: For defraying the necessary expenses incurred in the conduct of insular and other territorial matters and affairs within the jurisdiction of the Department of Justice, including the payment of necessary employees at the seat of government or elsewhere, to be selected and their compensation fixed by the Attorney-General, and to be expended under his direction, twenty-five thousand dollars. \* \* \*

Insular, etc.,  
affairs.

**CHAP. 1012.**—An Act To regulate the immigration of aliens into the United States.

March 3, 1903.  
[Public, No. 162.]  
32 Stats. L., pt.  
1, p. 1213

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a duty of two dollars for each and every passenger not a citizen of the United States, or of the Dominion of Canada, the Republic of Cuba, or of the Republic of Mexico, who shall come by steam, sail, or other vessel from any foreign port to any port within the United States, or by any railway or any other mode of transportation, from foreign contiguous territory to the United States. The said duty shall be paid to the collector of customs of the port or customs district to which said alien passenger shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of every such vessel or transportation line. The money thus collected shall be paid into the United States Treasury and shall constitute a permanent appropriation to be called the "immigrant fund," to be used under the direction of the Secretary of the Treasury to defray the expense of regulating the immigration of aliens into the United States under this Act, including the cost of reports of decisions of the Federal courts, and digests thereof, for the use of the Commissioner-General of Immigration, and the salaries and expenses of all officers, clerks, and employees appointed for the purpose of enforcing the provisions of this*

Immigration.  
Head tax on  
entry of aliens.  
Exceptions.

Payment.

To be a perma-  
nent appropria-  
tion, called "im-  
migrant fund."  
Use of.

**Lien on vessels for tax.** **Transit travel not taxed.** **Proviso. Payments by railroads.** Act. The duty imposed by this section shall be a lien upon the vessel which shall bring such aliens to ports of the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the payment of such duty may be enforced by any legal or equitable remedy; the head tax herein provided for shall not be levied upon aliens in transit through the United States nor upon aliens who have once been admitted into the United States and have paid the head tax who later shall go in transit from one part of the United States to another through foreign contiguous territory: *Provided*, That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of the Treasury, by agreement with transportation lines, as provided in section thirty-two of this Act, may arrange in some other manner for the payment of the duty imposed by this section upon aliens seeking admission overland, either as to all or as to any such aliens.

**Classes excluded admission.** SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, insane persons, epileptics, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; professional beggars; persons afflicted with a loathsome or with a dangerous contagious disease; persons who have been convicted of a felony or other crime or misdemeanor involving moral turpitude; polygamists, anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States or of all government or of all forms of law, or the assassination of public officials; prostitutes, and persons who procure or attempt to bring in prostitutes or women for the purpose of prostitution; those who have been, within one year from the date of the application for admission to the United States, deported as being under offers, solicitations, promises or agreements to perform labor or service of some kind therein; and also any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes; but this section shall not be held to prevent persons living in the United States from sending for a relative or friend who is not of the foregoing excluded classes: *Provided*, That nothing in this Act shall exclude persons convicted of an offense purely political, not involving moral turpitude: *And provided further*, That skilled labor may be imported, if labor of like kind unemployed can not be found in this country: *And provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

**Provision. Political offenses.** **Skilled labor.** **Professions and servants.**

SEC. 3. That the importation into the United States of any woman or girl for the purposes of prostitution is hereby forbidden; and whoever shall import or attempt to import any woman or girl into the United States for the purposes of prostitution, or shall hold or attempt to hold, any woman or girl for such purposes in pursuance of such illegal importation shall be deemed guilty of a felony, and, on conviction thereof, shall be imprisoned not less than one nor more than five years and pay a fine not exceeding five thousand dollars.

Punishment  
for importing,  
etc., women for  
prostitution.

SEC. 4. That it shall be unlawful for any person, company, partnership; or corporation, in any manner whatsoever, to prepay the transportation or in any way to assist or encourage the importation or migration of any alien into the United States, in pursuance of any offer, solicitation, promise, or agreement, parole or special, expressed or implied, made previous to the importation of such alien to perform labor or service of any kind, skilled or unskilled, in the United States.

Importing  
contract labor  
prohibited.

SEC. 5. That for every violation of any of the provisions of section four of this Act the person, partnership, company, or corporation violating the same, by knowingly assisting, encouraging, or soliciting the migration or importation of any alien to the United States to perform labor or service of any kind by reason of any offer, solicitation, promise, or agreement, express or implied, parole or special, to or with such alien shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such alien thus promised labor or service of any kind as aforesaid, as debts of like amount are now recovered in the courts of the United States; and separate suits may be brought for each alien thus promised labor or service of any kind as aforesaid. And it shall be the duty of the district attorney of the proper district to prosecute every such suit when brought by the United States.

Penalty for  
violations.

Suits by in-  
former, etc.

SEC. 6. That it shall be unlawful and be deemed a violation of section four of this Act to assist or encourage the importation or migration of any alien by a promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under a promise or agreement as contemplated in section two of this Act, and the penalties imposed by section five of this Act shall be applicable to such a case: *Provided*, That this section shall not apply to States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States advertising the inducements they offer for immigration thereto, respectively.

Advertising to  
encourage alien  
labor immigra-  
tion prohibited.

Penalties.

*Proviso.*  
Offers of  
States, etc.

SEC. 7. That no transportation company or owner or owners of vessels or others engaged in transporting aliens into the United States, shall, directly or through agents, either by writing, printing, or oral representations, solicit,

Soliciting im-  
migration by  
vessel owners  
prohibited.



## Penalties.

invite, or encourage the immigration of any aliens into the United States except by ordinary commercial letters, circulars, advertisements, or oral representations, stating the sailings of their vessels and terms and facilities of transportation therein; and for a violation of this provision any such transportation company and any such owner or owners of vessels, and all others engaged in transporting aliens to the United States, and the agents by them employed, shall be subjected to the penalties imposed by section five of this Act.

## Punishment for illegally landing aliens, etc.

SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into or land in the United States, by vessel or otherwise, or who shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, any alien not duly admitted by an immigrant inspector, or not lawfully entitled to enter the United States, shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding one thousand dollars for each and every alien so landed or attempted to be landed, or by imprisonment for a term not less than three months nor more than two years, or by both such fine and imprisonment.

## Exclusion of persons with loathsome, etc., disease.

SEC. 9. That it shall be unlawful for any person, including any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel to bring to the United States any alien afflicted with a loathsome or with a dangerous contagious disease; and if it shall appear to the satisfaction of the Secretary of the Treasury that any alien so brought to the United States was afflicted with such a disease at the time of foreign embarkation, and that the existence of such disease might have been detected by means of a competent medical examination at such time, such person or transportation company or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers while any such fine imposed upon it remains unpaid, nor shall such fine be remitted.

## Fine for violation.

## Decision of special board of inquiry as to diseased persons final.

SEC. 10. That the decision of the board of special inquiry, hereinafter provided for, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens afflicted with a loathsome or with a dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section two of this Act.

## Return of alien accompanying rejected helpless, etc., alien.

SEC. 11. That upon the certificate of a medical officer of the United States Marine-Hospital Service to the effect that a rejected alien is helpless from sickness, physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, the master, agent, owner, or con-



signee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.

SEC. 12. That upon the arrival of any alien by water at any port within the United States it shall be the duty of the master or commanding officer of the steamer, sailing or other vessel, having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said lists, state as to each alien the full name, age, and sex; whether married or single; the calling or occupation; whether able to read or write; the nationality; the race; the last residence; the seaport for landing in the United States; the final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; whether the alien has paid his own passage, or whether it has been paid by any other person or by any corporation, society, municipality, or government, and if so, by whom; whether in possession of fifty dollars, and if less, how much; whether going to join a relative or friend, and if so, what relative or friend and his name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or any institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether coming by reason of any offer, solicitation, promise or agreement, expressed or implied, to perform labor in the United States, and what is the alien's condition of health mental and physical, and whether deformed or crippled, and if so, for how long and from what cause.

Lists of alien passengers required.

Contents.

SEC. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, and no one list or manifest shall contain more than thirty names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, and so forth, is contained, and his number on said list, for convenience of identification on arrival. Each list or manifest shall be verified by the signature and the oath or affirmation of the master or commanding officer or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is an idiot, or insane person, or a pauper, or is likely to become a public charge, or is suffering from a loathsome or a dangerous contagious disease, or is a person who has been convicted of a felony or other crime or misdemeanor involving moral turpitude, or a polygamist, or an anarchist,

Designation, etc., of aliens on lists.

Certificate of medical, etc., examination.

or under promise or agreement, express or implied, to perform labor in the United States, or a prostitute, and that also, according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect.

Medical certificate.

SEC. 14. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessel.

Penalty for not delivering lists.

SEC. 15. That in the case of the failure of the master or commanding officer of any vessel to deliver to the said immigration officers lists or manifests of all aliens on board thereof as required in sections twelve, thirteen, and fourteen of this Act, he shall pay to the collector of customs at the port of arrival the sum of ten dollars for each alien concerning whom the above information is not contained in any list as aforesaid.

Inspection by immigration officers.  
On shipboard.

SEC. 16. That upon the receipt by the immigration officers at any port of arrival of the lists or manifests of aliens provided for in sections twelve, thirteen, and fourteen of this Act it shall be the duty of said officers to go or send competent assistants to the vessels to which said lists or manifests refer and there inspect all such aliens, or said immigration officers may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which such aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of this Act, bind the said transportation lines, masters, agents, owners, or consignees: *Provided*, That where a suitable building is used for the detention and examination of aliens the immigration officials shall there take charge of such aliens, and the transportation companies, masters, agents, owners, and consignees of the vessels bringing such aliens shall be relieved of the responsibility for their detention thereafter until the return of such aliens to their care.

*Proviso.*  
At immigrant stations.

Medical examination on arrival.

SEC. 17. That the physical and mental examination of all arriving aliens shall be made by medical officers of the United States Marine-Hospital Service, who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine and who shall certify for the information of the im-

migration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien, or, should medical officers of the United States Marine-Hospital Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergencies for the said service, upon such terms as may be prescribed by the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of the Treasury. The United States Public Health and Marine-Hospital Service shall be reimbursed by the Immigration Service for all expenditures incurred in carrying out the medical inspection of aliens under regulations of the Secretary of the Treasury.

Reimbursing expenses.

SEC. 18. That it shall be the duty of the owners, officers and agents of any vessel bringing an alien to the United States to adopt due precautions to prevent the landing of any such alien from such vessel at any time or place other than that designated by the immigration officers, and any such owner, officer, agent, or person in charge of such vessel who shall land or permit to land any alien at any time or place other than that designated by the immigration officers, shall be deemed guilty of a misdemeanor, and shall on conviction be punished by a fine for each alien so permitted to land of not less than one hundred nor more than one thousand dollars, or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment, and every such alien so landed shall be deemed to be unlawfully in the United States and shall be deported, as provided by law.

Penalty for permitting illegal landing.

SEC. 19. That all aliens brought into this country in violation of law shall, if practicable, be immediately sent back to the countries whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came; and if any master, person in charge, agent, owner, or consignee of any such vessels shall refuse to receive back on board thereof, or of any other vessel owned by the same interest, such aliens, or shall neglect to detain them thereon, or shall refuse or neglect to return them to the foreign port from which they came, or to pay the cost of their maintenance while on land, such master, person in charge, agent, owner, or consignee shall be deemed guilty of a misdemeanor and shall, on conviction, be punished by a fine not less than three hundred dollars for each and every such offense; and no such vessel shall have clearance from any port of the United States while any such fine is unpaid: *Provided*, That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of the Treasury, may suspend, upon conditions to be prescribed by the Commissioner-General, the deportation of any alien found to have come under promise or agreement of labor or service of any kind if, in his judgment, the testimony

Return of illegally landed aliens.

Charges.

Penalty for refusing to return, etc., aliens.

Proviso. Detention to use as witness.

of such alien is necessary on behalf of the United States Government in the prosecution of offenders against the provisions of sections four and five of this Act: *Provided*, That the cost of maintenance of any person so detained resulting from such suspension of deportation shall be paid from the "immigrant fund," but no alien certified, as provided in section seventeen of this Act, to be suffering with a loathsome or with a dangerous contagious disease other than one of a quarantinable nature, shall be permitted to land for medical treatment thereof in the hospitals of the United States.

**Maintenance while detained.**  
**Deportation within two years after arrival.**  
SEC. 20. That any alien who shall come into the United States in violation of law, or who shall be found a public charge therein, from causes existing prior to landing, shall be deported as hereinafter provided to the country whence he came at any time within two years after arrival at the expense, including one-half of the cost of inland transportation to the port of deportation, of the person bringing such alien into the United States, or, if that can not be done, then at the expense of the immigrant fund referred to in section one of this Act.

**Return of illegally entered alien in three years.**  
**Penalty for refusal by shipping owners.**  
SEC. 21. That in case the Secretary of the Treasury shall be satisfied that an alien has been found in the United States in violation of this Act he shall cause such alien, within the period of three years after landing or entry therein, to be taken into custody and returned to the country whence he came, as provided in section twenty of this Act, or, if that can not be so done, at the expense of the immigrant fund provided for in section one of this Act; and neglect or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of the Treasury to take on board, guard safely, and return to the country whence he came any alien ordered to be deported under the provisions of this section shall be punished by the imposition of the penalties prescribed in section nineteen of this Act.

**Commissioner-General of Immigration. Duties defined.**  
**Rules, etc.**  
SEC. 22. That the Commissioner-General of Immigration, in addition to such other duties as may by law be assigned to him, shall, under the direction of the Secretary of the Treasury, have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder. He shall establish such rules and regulations, prescribe such forms of bonds, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this Act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contracts for the support and relief of such aliens as may fall into distress or need public aid; all under the direction or with the approval of the Secretary of the Treasury. And it shall be the duty of the Commissioner-General of Immigration to detail officers of the immigration service from time to time as may be neces-

**Details to secure information.**

ary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States, and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges: *Provided*, That the Commissioner-General of Immigration may, with the approval of the Secretary of the Treasury, whenever in his judgment such action may be necessary to accomplish the purposes of this Act, detail immigration officers for temporary service in foreign countries.

*Proviso.*  
Details for  
foreign service.

SEC. 23. That the duties of the commissioners of immigration shall be of an administrative character, to be prescribed in detail by regulations prepared, under the direction or with the approval of the Secretary of the Treasury.

Commission-  
ers of Immigra-  
tion.  
Duties.

SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed, and their compensation fixed and raised or decreased from time to time, by the Secretary of the Treasury, upon the recommendation of the Commissioner-General of Immigration and in accordance with the provisions of the civil-service Act of January sixteenth, eighteen hundred and eighty-three: *Provided*, That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation Act approved August eighteenth, eighteen hundred and ninety-four, or the official status of such commissioners heretofore appointed. Immigration officers shall have power to administer oaths and to take and consider testimony touching the right of any alien to enter the United States, and, where such action may be necessary, to make a written record of such testimony, and any person to whom such an oath has been administered under the provisions of this Act who shall knowingly or willfully give false testimony or swear to any false statement in any way affecting or in relation to the right of an alien to admission to the United States shall be deemed guilty of perjury and be punished as provided by section fifty-three hundred and ninety-two, United States Revised Statutes. The decision of any such officer, if favorable to the admission of any alien, shall be subject to challenge by any other immigration officer, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly and beyond a doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry.

Immigrant in-  
spectors, etc.  
Duties.

*Proviso.*

Power to take  
testimony, etc.

Perjury.  
R. S., sec. 5302,  
p. 1045.  
Decisions.

SEC. 25. That such boards of special inquiry shall be appointed by the commissioners of immigration at the various ports of arrival as may be necessary for the prompt determination of all cases of aliens detained at

Special in-  
quiry boards.



- Composition.** such ports under the provisions of law. Such boards shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner-General of Immigration, with the approval of the Secretary of the Treasury, shall from time to time designate as qualified to serve on such boards: *Provided*, That
- Proviso.**  
**Designation of other officials.** at ports where there are fewer than three immigrant inspectors, the Secretary of the Treasury, upon recommendation of the Commissioner-General of Immigration, may designate other United States officials for service on such boards of special inquiry. Such boards shall have authority to determine whether an alien who has been duly held
- Hearings.** shall be allowed to land or be deported. All hearings before boards shall be separate and apart from the public, but the said boards shall keep complete permanent records of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail and be final, but either the alien or any dissenting member of said board may
- Appeals.** appeal, through the commissioner of immigration at the port of arrival and the Commissioner-General of Immigration, to the Secretary of the Treasury, whose decision shall then be final; and the taking of such appeal shall operate to stay any action in regard to the final disposal of the alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision.
- Restriction on bonds.** SEC. 26. That no bond or guaranty, written or oral, that an alien shall not become a public charge shall be received from any person, company, corporation, charitable or benevolent society or association unless authority to receive the same shall in each special case be given by the Commissioner-General of Immigration, with the written approval of the Secretary of the Treasury.
- No compromise unless court consents.** SEC. 27. That no suit or proceeding for a violation of the provisions of this Act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.
- Pending suits not affected.** SEC. 28. That nothing contained in this Act shall be construed to affect any prosecution or other proceeding, criminal or civil, begun under any existing Act or any Acts hereby amended, but such prosecutions or other proceedings, criminal or civil, shall proceed as if this Act had not been passed.
- Jurisdiction of Federal courts.** SEC. 29. That the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this Act.
- Immigrant station privileges.**  
**Disposal of.** SEC. 30. That after the first day of January, nineteen hundred and three, all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner-General of Immigration, under the direction or with the approval of



the Secretary of the Treasury, may prescribe: *Provided*, That no intoxicating liquors shall be sold in any such immigrant station; that all receipts accruing from the disposal of such exclusive privileges as herein provided shall be paid into the United States Treasury to the credit of the immigrant fund provided for in section one of this Act.

*Proviso.*  
Sale of liquors prohibited.  
Receipts.

SEC. 31. That for the preservation of the peace, and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purposes of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

Local courts granted jurisdiction.

SEC. 32. That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of the Treasury, shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy passengers in ordinary travel between the United States and said countries, and shall have power to enter into contracts with foreign transportation lines for the same purpose.

Entries of aliens by railroads.

SEC. 33. That for the purposes of this Act the words "United States" as used in the title as well as in the various sections of this Act shall be construed to mean the United States and any waters, territory or other place now subject to the jurisdiction thereof.

"United States."  
Construction of term.

SEC. 34. That no intoxicating liquors of any character shall be sold within the limits of the Capitol building of the United States.

No liquors to be sold in Capitol.

SEC. 35. That the deportation of aliens arrested within the United States after entry and found to be illegally therein, provided for in this Act, shall be to the trans-Atlantic or trans-Pacific ports from which said aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which said aliens embarked for such territory.

Ports of deportation.

SEC. 36. That all Acts and parts of Acts inconsistent with this Act are hereby repealed: *Provided*, That this Act shall not be construed to repeal, alter, or amend existing laws relating to the immigration, or exclusion of, Chinese persons or persons of Chinese descent.

Inconsistent laws repealed.  
*Proviso.*  
Chinese exclusion not affected.

SEC. 37. That whenever an alien shall have taken up his permanent residence in this country, and shall have filed his preliminary declaration to become a citizen, and thereafter shall send for his wife or minor children to join him, if said wife, or either of said children, shall be found to be affected with any contagious disorder, and if it is proved that said disorder was contracted on board the ship in which they came, and is so certified by the examining surgeon at the port of arrival, such wife or children shall be held, under such regulations as the Secretary of the Treasury shall prescribe, until it shall be determined

Families of aliens having contagious diseases.

Temporary detention.

whether the disorder will be easily curable, or whether they can be permitted to land without danger to other persons; and they shall not be deported until such facts have been ascertained.

Anarchists,  
etc., prohibited  
entry.

SEC. 38. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, shall be permitted to enter the United States or any Territory or place subject to the jurisdiction thereof. This section shall be enforced by the Secretary of the Treasury under such rules and regulations as he shall prescribe.

Enforcement.

Penalties for  
assisting illegal  
entries.

That any person who knowingly aids or assists any such person to enter the United States or any Territory or place subject to the jurisdiction thereof, or who connives or conspires with any person or persons to allow, procure, or permit any such person to enter therein, except pursuant to such rules and regulations made by the Secretary of the Treasury, shall be fined not more than five thousand dollars, or imprisoned for not less than one nor more than five years, or both.

Naturaliza-  
tion of anarch-  
ists, etc., forbid-  
den.

SEC. 39. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, or who has violated any of the provisions of this Act, shall be naturalized or be made a citizen of the United States. All courts and tribunals and all judges and officers thereof having jurisdiction of naturalization proceedings or duties to perform in regard thereto shall, on the final application for naturalization, make careful inquiry into such matters, and before issuing the final order or certificate or naturalization cause to be entered of record the affidavit of the applicant and of his witnesses so far as applicable, reciting and affirming the truth of every material fact requisite for naturalization. All final orders and certificates of naturalization hereafter made shall show on their face specifically that said affidavits were duly made and recorded, and all orders and certificates that fail to show such facts shall be null and void.

Judicial in-  
quiries.

Penalty for  
illegal natural-  
ization.

That any person who purposely procures naturalization in violation of the provisions of this section shall be fined not more than five thousand dollars, or shall be imprisoned not less than one nor more than ten years, or both, and

the court in which such conviction is had shall thereupon adjudge and declare the order or decree and all certificates admitting such person to citizenship null and void. Jurisdiction is hereby conferred on the courts having jurisdiction of the trial of such offense to make such adjudication.

That any person who knowingly aids, advises, or encourages any such person to apply for or to secure naturalization or to file the preliminary papers declaring an intent to become a citizen of the United States, or who in any naturalization proceeding knowingly procures or gives false testimony as to any material fact, or who knowingly makes an affidavit false as to any material fact required to be proved in such proceeding, shall be fined not more than five thousand dollars, or imprisoned not less than one nor more than ten years, or both.

Penalty for aiding.

The foregoing provisions concerning naturalization shall not be enforced until ninety days after the approval hereof.

Enforcement.

**CHAP. 1016.**—An Act To refund the amount of duties paid on merchandise brought into the United States from Porto Rico between April eleventh, eighteen hundred and ninety-nine, and May first, nineteen hundred, and also on merchandise brought into the United States from the Philippine Islands between April eleventh, eighteen hundred and ninety-nine, and March eighth, nineteen hundred and two, and for other purposes.

March 3, 1903.

[Public No. 166.]  
32 Stats. L.,  
pt. 1, p. 1224.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* authority be, and the same is hereby, given the Secretary of the Treasury to refund and repay from the appropriation "To repay to importers the excess of deposits for unascertained duties, or duties or other moneys paid under protest," made by section thirty-six hundred and eighty-nine of the Revised Statutes, moneys paid to the United States without protest as duties and as fines on merchandise brought into the United States from Porto Rico between April eleventh, eighteen hundred and ninety-nine, when the ratifications of the treaty of peace of December tenth, eighteen hundred and ninety-eight, with Spain were exchanged, and May first, nineteen hundred, when the Act entitled "An Act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April twelfth, nineteen hundred, went into effect, and also on merchandise brought into the United States from the Philippine Islands between April eleventh, eighteen hundred and ninety-nine, and March eighth, nineteen hundred and two, the date of the passage of "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes": *Provided, That* such claims shall be presented under such rules and regulations as the Secretary of the Treasury shall prescribe, and within one year from the date of the passage of this Act.

Customs revenue.  
Refunding of duties on goods from Porto Rico and Philippine Islands.  
R. S., sec. 3689, p. 724.

Proviso.  
Presentation of claims.



# SPANISH TREATY CLAIMS COMMISSION.

*Fifty-sixth Congress, second session.*

**CHAP. 800.**—An Act To carry into effect the stipulations of article seven of the treaty between the United States and Spain concluded on the tenth day of December, eighteen hundred and ninety-eight. March 2, 1901.  
[Public No. 115.]  
31 Stats. L., p. 877.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States shall appoint, by and with the advice and consent of the Senate, five suitable persons learned in the law, who shall constitute a commission, whose duty it shall be, and it shall have jurisdiction, to receive, examine, and adjudicate all claims of citizens of the United States against Spain, which the United States agreed to adjudicate and settle by the seventh article of the treaty concluded between the United States and Spain on the tenth day of December, anno Domini eighteen hundred and ninety-eight. It shall adjudicate said claims according to the merits of the several cases, the principles of equity, and of international law. One of said persons shall be designated by the terms of his appointment to be the president of said commission. Commission to adjudicate claims of citizens of the United States against Spain (vol. 30, p. 1757) constituted.

The President of the United States, by and with the advice and consent of the Senate, shall fill by appointment all vacancies which may occur in said commission. President.  
Vacancies

**SEC. 2.** That each of the members of said commission, the Assistant Attorney-General, the assistant attorneys, and the clerk provided for by this Act shall be citizens of the United States, and shall take the oath of office prescribed by law to be taken by officers of the United States. Oath.

**SEC. 3.** That the said commission shall, within thirty days after the appointment of the members thereof, meet, and it shall thereafter hold its sessions, in the city of Washington. The Department of Justice shall provide said commission with all necessary and suitable rooms and offices for holding its sessions and transacting its business. All the expenses, including salaries and compensation of said commission and of its officers and employees, shall be paid by the Department of Justice, upon vouchers certified by the president of the commission or by order of the other members of the commission in case of his absence or inability to act; and the sum of fifty thousand dollars annually, or so much thereof as may be necessary, is hereby appropriated and made immediately available for the Department of Justice as a special fund for the payment of said expenses. Sessions.  
Rooms.  
Payment of salaries, etc.  
Appropriation.

**SEC. 4.** That the commission is empowered to make all necessary or convenient and proper rules and regulations Rules.

of practice and procedure for the transaction of its business.

Employees.

Commissioners to take testimony.

SEC. 5. That the commission is empowered to appoint a clerk, and may also appoint one messenger and one or more stenographers, typewriters, and interpreters as the business of the commission may require; and may also appoint one or more commissioners, whose duty it shall be to take testimony in such cases as may be brought before said commission. Such commissioners to take testimony shall be citizens of the United States, and they shall receive for their services such fees as may be fixed by said commission, not exceeding the fees allowed by law for the taking of testimony to be used in the courts of the United States, including the sum of three dollars per day which the courts of the United States are now authorized by section twenty-one of the Act of May twenty-eighth, eighteen hundred and ninety-six, to allow to commissioners.

Bond of clerk.

The clerk of said commission shall, before assuming the duties of his office, execute a bond to the United States, with sufficient surety or surities, in such amount and conditioned as the Attorney-General shall prescribe, for the faithful performance of his duties as such clerk.

Civil service exemption.

The appointments authorized by this section shall be made without reference to the rules and regulations of the civil service.

Additional Assistant Attorney-General and assistant attorneys authorized.

SEC. 6. That the President shall appoint, by and with the advice and consent of the Senate, one additional Assistant Attorney-General of the United States, who shall hold his office during the existence of said commission, and the Attorney-General of the United States is empowered to employ such assistant attorneys as the business of the commission may require. It shall be the duty of said Assistant Attorney-General and assistant attorneys to appear as attorneys and counsel for the United States, under the direction of the Attorney-General, and defend the United States in all proceedings to adjudicate claims which may be had before said commission.

—duties.

Authority to administer oaths.

SEC. 7. That each of the said commissioners and the clerk and each of the commissioners to take testimony shall have authority to administer oaths in all proceedings before the commission, and every person knowingly and willfully swearing or affirming falsely in any such proceedings shall be deemed guilty of perjury, and shall, upon conviction, suffer the punishment provided by the laws of the United States for that offense, when committed in its courts of justice.

—penalty.

Access to departmental files.

SEC. 8. That all reports, records, proceedings, and other documents now on file or of record in the Department of State, or in any other Department, or certified copies thereof, relating to any claims prosecuted before the said commission under this Act shall be furnished to the commission upon its order, made of its own motion or at the request of the claimant or of the attorney representing the United States before said commission.

Petition.

SEC. 9. That every claim prosecuted before said com-



mission shall be presented by petition, setting forth concisely and without unnecessary repetition the facts upon which such claim is based together with an itemized schedule setting forth all damages claimed. Said petition shall also state the full name, the residence, and the citizenship of the claimant, and the amount of damages sought to be recovered, and shall pray judgment upon the facts and law. It shall be signed by the claimant or his attorney or legal representative, and be verified by the affidavit of the claimant, his agent, attorney, or legal representative. It shall be filed with the clerk of the commission, and the prosecution of the claim shall be deemed to have been commenced at the date of such filing. All claims shall be filed as aforesaid within six months from the date of the first meeting of the commission, and every claim not filed within such time shall be forever barred: *Provided*, That the commission may receive claims presented within six months after the termination of said period if the claimants shall establish to their satisfaction good reasons for not presenting the same earlier.

—contents, etc.

Time for filing claims limited.

*Proviso.* —reception afterwards.

SEC. 10. That service of the petition shall be made upon the Attorney-General of United States at such time and in such manner as may be prescribed by the rules of said commission. It shall be his duty to defend the interests of the United States, and he shall, within sixty days after the service of the petition upon him, unless the time shall be extended by order of the commission, file a demurrer or answer to said petition, which answer shall set up all matters of counterclaim, set-off, claim of damages, demand, or defense whatsoever of the Government against such claim: *Provided*, That should the Attorney-General fail to so answer or demur, the claimant may proceed with the case under such rules as the commission may adopt; but the claimant shall not in such case have award for his claim or for any part thereof unless he shall establish the same by proof satisfactory to the commission.

Service of petition.

Answer

*Proviso.* —failure to answer; procedure.

SEC. 11. That the award in favor of any claimant shall be only for the amount of the actual and direct damage which said claimant shall prove that he has sustained. Remote or prospective damages shall not be awarded, nor shall interest be allowed on any claim.

Extent of award.

SEC. 12. That all awards of said commission shall be final unless a new trial or hearing shall be granted by said commission and no new trial or rehearing shall be had except upon motion made within sixty days of said award.

When award final.

SEC. 13. When the commission is in doubt as to any question of law arising upon the facts in any case before them, they may state the facts and the question of law so arising and certify the same to the Supreme Court of the United States for its decision, and said court shall have jurisdiction to consider and decide the same.

Appeal to Supreme Court.

SEC. 14. That the commission shall file with the Secretary of State a copy of the award in each case immediately after the same shall have been made and become final, and in every case of final award by said commission the sum found to be due shall be paid out of any appropriation

Filing copy of award with Secretary of State. Payment.

made or to be made by Congress for the payment and satisfaction of such awards on presentation to the Secretary of the Treasury of a copy of said award, certified by the clerk of the commission and signed by the president of said commission, or by the Secretary of State in case said commission has terminated and ceased to exist.

Disposition of records on expiration of commission.

All the files and records of said commission shall immediately upon the expiration thereof be deposited in the office of the Secretary of State.

Salaries.

SEC. 15. That the salaries and compensation of the persons appointed under this Act shall be as follows, and the same shall be paid monthly in equal installments:

To each commissioner, the sum of five thousand dollars per annum.

To the Assistant Attorney-General, the sum of five thousand dollars per annum.

To the clerk, the sum of three thousand five hundred dollars per annum.

To such assistant attorneys as may be employed, at the rate of two hundred dollars per month to each for the time of actual employment.

To the messenger and to each stenographer and typewriter, the sum of one thousand two hundred dollars per annum.

To each interpreter, not exceeding the sum of one thousand eight hundred dollars per annum.

Duration of commission.

SEC. 16. That the powers and jurisdiction hereby granted to said commission shall be in force and continue for the period of two years from the date of the approval of this Act, and for no longer time: *Provided*, That the President may, from time to time, extend the said period beyond said two years, not exceeding six months in each instance, when in his judgment such extension is necessary to enable the commission to complete its work: *And provided further*, That in case the commission shall have completed its work before the expiration of the said two years the President may dissolve said commission.

*Proviso.*  
—extension.

—dissolution before two years.

*Fifty-seventh Congress, first session.*

February 14, 1902.  
[Public. No. 9.]  
32 Stats. L., pt. 1, p. 5.

**CHAP. 17.**—An Act Making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and two, and for prior years, and for other purposes.

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DEPARTMENT OF JUSTICE.

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Spanish Claims Commission.  
Expenses.

**SPANISH CLAIMS COMMISSION:** For expenses of Spanish Treaty Claims Commission, fifteen thousand dollars, of which not exceeding five hundred dollars may be expended in the purchase of law books and books of reference, and not exceeding three thousand dollars to reimburse the

Secretary of State for the services of a force of copyists to make copies of papers concerning claims required by order of the Commission; and said Commission may employ, instead of the messenger now authorized but not appointed, three assistant messengers and watchmen, at sixty dollars per month each; and hereafter vouchers for the expenses of the Commission shall be paid when approved and certified by the president of the Commission, and vouchers for the expenses of the Department of Justice in connection with the claims shall be paid when approved and certified by the Attorney-General. Vouchers.

For salaries and expenses in defense of claims before the Spanish Treaty Claims Commission, including salaries of Assistant Attorney-General in charge, as fixed by law, and of assistant attorneys and necessary employees in Washington or elsewhere, to be selected and their compensation fixed by the Attorney-General, to be expended under his direction, so much of the provisions of the Act of March second, nineteen hundred and one, providing for the Spanish Treaty Claims Commission as are in conflict herewith notwithstanding, thirty thousand dollars. Defense of claims.

\* \* \*

**CHAP. 1801.**—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes. June 28, 1902.  
[Public, No. 182.]  
82 Stats. L., pt. 1, p. 419.

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## UNDER THE DEPARTMENT OF JUSTICE.

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**DEFENSE OF SUITS BEFORE SPANISH TREATY CLAIMS COMMISSION:** For salaries and expenses in defense of claims before the Spanish Treaty Claims Commission, including salaries of Assistant Attorney-General in charge as fixed by law, and of assistant attorneys and necessary employees in Washington or elsewhere, to be selected and their compensation fixed by the Attorney-General, to be expended under his direction, so much of the provisions of the Act of March second, nineteen hundred and one, providing for the Spanish Treaty Claims Commission as are in conflict herewith notwithstanding, one hundred and twelve thousand dollars, of which not exceeding one thousand dollars, to be immediately available, may be expended for law books and books of reference. Spanish Treaty Claims Commission.  
Defense of suits.  
Salaries.  
  
Books.

\* \* \* \* \*

**SALARIES AND EXPENSES, SPANISH CLAIMS COMMISSION:** For general expenses of the Commission for all the purposes mentioned in the Act approved March second, nineteen hundred and one, in addition to the continuing annual appropriation of fifty thousand dollars provided in said Act, five thousand dollars. The Commission may pay a fixed compensation, not to exceed two thousand five hundred dollars annually, with allowance for subsistence in- Spanish Claims Commission.  
General expenses.  
  
Compensation of commissioners to take testimony, in Cuba.

stead of fees, to commissioners, not exceeding two in number, whom the Commission under existing law may appoint to take testimony in the island of Cuba. The Commission may, in the place of two clerks now in service, employ an assistant clerk at the rate of two thousand dollars per annum and one clerk at the rate of one thousand four hundred dollars per annum. \* \* \*

\* \* \* \* \*

June 30, 1902.  
[Public, No. 214.]  
32 Stats. L., pt.  
1, p. 549.

**CHAP. 1337.**—An Act Amending the Act of March second, nineteen hundred and one, entitled “An Act to carry into effect the stipulations of article seven of the treaty between the United States and Spain, concluded on the tenth day of December, eighteen hundred and ninety-eight.”

*S p a n i s h*  
Claims Commis-  
sion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* section four of the Act, entitled “An Act to carry into effect the stipulations of article seven of the treaty between the United States and Spain, concluded on the tenth day of December, eighteen hundred and ninety-eight,” approved March second, nineteen hundred and one, is hereby amended by adding thereto the following provisions:

Rules of pro-  
cedure.

P o w e r s o f  
Commission.

Testimony in  
foreign coun-  
tries.

Duties of mar-  
shal, etc., Dis-  
trict of Colum-  
bia.

Execution of  
writs outside of  
District of Co-  
lumbia.

Appointment  
of officer to  
serve process,  
etc.

Witnesses.

“Such rules and mode of procedure shall conform, so far as practicable, to the mode of procedure and practice of the circuit courts of the United States. The said Commission created by this Act is vested with the same powers now possessed by the circuit and district courts of the United States to compel the attendance and testimony of parties, claimants and witnesses, to preserve order, and to punish for contempt, and to compel the production of any books or papers deemed material to the consideration of any claim or matter pending before said Commission.

“That the said Commission is also vested with all the powers now possessed by the circuit and district courts of the United States to take or procure testimony in foreign countries. Such testimony may be taken, pursuant to the provisions of existing laws and the rules and practice of the district and circuit courts of the United States, so far as applicable, before the Commission or any Commissioner or Commissioners appointed under the provisions of this Act.

“That the marshal of the United States for the District of Columbia, or his deputies, shall serve all processes issued by said Commission, preserve order in the place of sitting, and execute the orders of said Commission; and outside of the District of Columbia the writs of said Commission shall be executed by United States marshals, or their deputies, in their respective districts.

“That said Commission or any Commissioner appointed by it to take testimony in foreign countries is hereby authorized to appoint an officer to serve any subpoena or process issued by said Commission or Commissioner.

“When testimony is to be taken before any Commissioner appointed by said Commission within any district

or territory, the clerk of any court of the United States for such district or territory shall, on application of either party, or of his agent, issue a subpoena for such witness, commanding him to appear and testify before the Commissioner at a time and place stated in the subpoena; and if any witness, after being duly served with such subpoena, refuses or neglects to appear, or after appearing refuses to testify, not being privileged from giving testimony, and such refusal or neglect is proven to the satisfaction of any judge of the court whose clerk issues the subpoena, such judge may proceed to enforce obedience to the process, or punish the disobedience, as any court of the United States may proceed in case of disobedience to process of subpoena to testify issued by such court; and the production before such Commissioner of any paper or writing, written instrument, book, or other document, may also be required in the manner prescribed in section eight hundred and sixty-nine of Revised Statutes of the United States.”

Refusal to appear, etc.

Punishment.

Production of documents.

R. S., sec. 869, p. 165.

*Fifty-seventh Congress, second session.*

**CHAP. 1006.**—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and three, and for prior years, and for other purposes.

March 8, 1908.  
[Public, No. 156.]  
32 Stats. L., pt. 1, p. 1081.

\* \* \* \* \*

**SPANISH TREATY CLAIMS COMMISSION.**

**SPANISH TREATY CLAIMS COMMISSION:** For salaries and expenses of the Spanish Treaty Claims Commission, five thousand dollars; and said Commission is authorized to pay to additional commissioners to take testimony in Cuba, for occasional services in special cases, not exceeding eight dollars per day, in lieu of fees during the time of actual service.

Salaries.

Testimony in Cuba.

To pay the award made by the Spanish Treaty Claims Commission under the provisions of the Act of March second, nineteen hundred and one, certified to Congress in Document Numbered Three hundred and fifty-eight of the present session, three thousand dollars. \* \* \*

Payment of award.  
Vol. 31, p. 879.

\* \* \* \* \*

**CHAP. 1007.**—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and four, and for other purposes.

March 8, 1908.  
[Public, No. 157.]  
32 Stats. L., pt. 1, p. 1083.

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**UNDER THE DEPARTMENT OF JUSTICE.**

\* \* \* \* \*

**MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE.**

\* \* \* \* \*

**DEFENSE OF SUITS BEFORE SPANISH TREATY CLAIMS COMMISSION:** For salaries and expenses in defense of

Spanish Treaty Claims Commission.

Defense of suits. of claims before the Spanish Treaty Claims Commission, including salaries of Assistant Attorney-General in charge as fixed by law, and of assistant attorneys and necessary employees in Washington, District of Columbia, or elsewhere, to be selected and their compensation fixed by the Attorney-General, to be expended under his direction, so much of the provisions of the Act of March second, nineteen hundred and one, providing for the Spanish Treaty Claims Commission as are in conflict herewith notwithstanding, one hundred and twelve thousand dollars, of which not exceeding two hundred dollars may be expended for law books and books of reference. \* \* \*

Books.

\* \* \* \* \*



CLAIMS OTHER THAN SPANISH TREATY CLAIMS.

*Fifty-fifth Congress, second session.*

**CHAP. 647.**—An Act To reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize, and supply and equip the Volunteer Army of the United States in the existing war with Spain. July 8, 1898.  
[Public.No.208.]  
30 Stats. L., p.  
730.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed, out of any money in the Treasury not otherwise appropriated, to pay to the governor of any State or Territory, or to his duly authorized agents, the reasonable costs, charges, and expenses that have been incurred by him in aiding the United States to raise the Volunteer Army in the existing war with Spain, by subsisting, clothing, supplying, equipping, paying, and transporting men of his State or Territory who were afterwards accepted into the Volunteer Army of the United States: Provided, That the transportation paid for shall be only the transportation of such men from the place of their enrollment for service in the Volunteer Army of the United States to the place of their acceptance into the same by the United States mustering officer, and that the names of the men transported shall appear on the muster rolls of the Volunteer Army of the United States: And provided further, That, such claims shall be settled upon proper vouchers to be filed and passed upon by the proper accounting officers of the Treasury: And provided further, That, in cases where the money to pay said costs, charges, and expenses has been, or may hereafter, be borrowed by the governors or their respective States or Territories, and interest is paid, or may hereafter be paid, on the same, by the governors or their States or Territories, from the time it was or may be so borrowed to the time of its refundment by the United States, or thereafter, such interest shall not be refunded by the United States; nor shall any interest be paid the governors or their States or Territories on the amounts paid out by them, nor any other amount refunded or paid than is in this Act expressly mentioned.*

Volunteer  
Army.  
Repayment to  
States for ex-  
penses incurred  
in equipping,  
etc.

Provisos.  
Transporta-  
tion.

Vouchers.

Interest not to  
be refunded.

*Fifty-fifth Congress, third session.*

March 3, 1899.

[Public No. 200.]  
30 Stats. L., p.  
1356.

**CHAP. 445.**—An Act To amend an Act entitled “An Act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,” approved July eighth, eighteen hundred and ninety-eight, and for other purposes.

Reimbursement of States for expenses equipping volunteers, etc., Spanish war.  
Laws, 2d sess.  
55th Cong., p.  
730, amended.  
Expenses after July 8, 1898, allowed.

*Proviso.*  
No reimbursement for members militia, etc., not accepted as of same grade.

Compensation.

--where Regular Army pay allowed.

--rejected officers, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* the Act entitled “An Act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,” approved July eighth, eighteen hundred and ninety-eight, be so amended that the Secretary of the Treasury shall be, and is hereby, authorized to allow, in the settlement of the claims of the governors of States and Territories for reimbursement under the provisions of the said Act, expenses incurred after as well as before July eighth, eighteen hundred and ninety-eight: *Provided*, That no reimbursement shall be made for service of members of the National Guard, or organized militia, or naval reserves of any State or Territory who were not accepted into the Volunteer Army of the United States, and no reimbursement shall be allowed for payments made to any person in excess of the pay and allowances authorized by the laws of the State or Territory for the grade in which he was accepted into the Volunteer Army of the United States. That the compensation allowed by the laws of the States and Territories to officers and men of the National Guard, or militia, or naval reserves of said States and Territories shall be allowed to the States and Territories, or the governors of the States and Territories, as pay for such officers and men of said National Guard, or militia, or naval reserves as appeared and remained at the place of muster, and who were afterwards received into the service of the United States for the period between the date of assembly at the rendezvous and the date they were mustered into the United States service: *Provided*, however, That in all States and Territories where no laws exist for the payment of the officers and men of the National Guard, or militia, or naval reserves, there shall be allowed to said States and Territories, or the governors of said States and Territories, for the officers the same pay as allowed officers in the Regular Army holding the same rank, and for the men, one dollar per day, for such officers and men as appeared and remained at the place of muster and were afterwards received into the service of the United States for the period between the date of assembly at the rendezvous and the date they were mustered into the service of the United States: *Provided further*, That for all officers and men of the National Guard, or militia, or naval reserves of the States and Territories, who appeared at the rendezvous for muster,

and were rejected by the medical examiner or mustering officer, pay shall be allowed for the same to the States and Territories or the governors of States and Territories, at the several rates as fixed as aforesaid from the date of assembly to the date of their rejection: *Provided further*, That where States and Territories have not paid amounts to the officers and men or any part thereof the pay allowed them by this Act, the same shall be paid by the States and Territories direct to the officers and men, and no money allowed by this Act for officers and men shall be covered into the treasury of the State or Territory.

Payment direct to officers, etc.

SEC. 2. That under the appropriation made by said Act the Secretary of the Treasury is hereby authorized to reimburse the governor of any State or Territory for reasonable expenses incurred by him for the actual transportation of the members of organized militia, or National Guard, or naval reserves of his State from the place of company, battalion, or regimental rendezvous to the State rendezvous, or place designated for examination and acceptance of the members of such organization into the Volunteer Army of the United States, and the actual transportation from such State rendezvous, or such place designated for examination and acceptance, to their respective company, battalion, or regimental rendezvous of such men as were rejected by the medical examiner or mustering officer: *Provided*, That no reimbursement shall be made for the transportation of any man who did not present himself for enrollment in the Volunteer Army of the United States as provided by law: *And provided further*, That the provisions of this section shall apply also to payments made by the governor of any State or Territory for the actual transportation of individual volunteers who presented themselves for enrollment in the Volunteer Army of the United States and who were rejected by the medical examiner or mustering officer.

Transportation expenses.

*Proviso.*  
No reimbursement for men not presenting themselves.

—men afterwards rejected.

SEC. 3. That nothing in said Act of July eighth, eighteen hundred and ninety-eight, shall be so construed as to prohibit the reimbursement of the governor of any State or Territory for reasonable expenses incurred for the subsistence of the members of any organization of the organized militia or National Guard, or naval reserves of his State or Territory after having been called out by the governor on or after April twenty-fifth, eighteen hundred and ninety-eight: *Provided*, That such organizations shall afterwards have been accepted into the Volunteer Army of the United States.

Subsistence of organized militia allowed.

*Proviso.*  
—condition.

SEC. 4. That the expenses incurred by the governors of States in carrying out the provisions of this Act shall be paid to them, notwithstanding any unsettled accounts, claims, or indebtedness of the United States against their States, and without prejudice to such unsettled accounts: *Provided*, That when such unsettled account is caused by a default in payment of principal or interest on any bonds or stock issued or guaranteed by any State, the ownership

Unsettled accounts against States not to be set off.

*Proviso.*  
—where caused by default in payment, etc.

Equipment,  
etc., purchased  
at rendezvous  
afterwards used  
in Army, etc.

of which is vested in the United States, the Secretary of the Treasury be, and he is hereby, authorized and directed to institute any act or proceeding which he may consider advisable against such State or its representatives to secure the payment of the principal and interest of said bonds or stocks: *And provided further*, That where the governor of any State or Territory, or any officer of the Army detailed as mustering officer of volunteers, or any commander of a company or companies, or troop or troops, or battery or battalion, or regiment, or brigade, has purchased or authorized the purchase of supplies or equipments, or incurred any necessary expense for the comfort of the men in camp or rendezvous, and said supplies were used and equipments were subsequently taken into the United States service by said volunteers, and no receipts given to such military officer, the certificate to that effect of the governor of the State or Territory to which the volunteers belonged, shall be held sufficient to authorize the settlement and payment of such account on investigation, if the Treasury Department shall be satisfied of the fact of such purchase of such equipment and supplies, or that such necessary expenses were incurred and such use of such supplies, or such taking of such equipments into the United States service, and the voucher or vouchers of said officers be produced by said governor.

Payment of ac-  
counts for trans-  
portation, etc.

SEC. 5. That the Secretary of the Treasury be, and is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the just and proper account or claim of any railroad, transportation company, or person for transportation of men or troops from place of enrollment to point of rendezvous, furnished at the request of the Quartermaster-General of the Army or his agents, or at the request of any United States mustering officer or other officer authorized by the Secretary of War to enroll, muster or mobilize volunteers for the war with Spain; and also to pay such just and proper accounts as may be presented for transportation back from point of rendezvous to place of enrollment of men who volunteered and were rejected by the medical examiner or mustering officer: *Provided*, That the amount allowed and paid for such transportation shall not be in excess of the rates charged for transporting troops of the United States under like circumstances.

*Proviso.*  
Limit of rates.

Filing claims.

All claims under the provision of this Act must be filed in the office of the Auditor for the War Department, and must be supported by proper vouchers or other conclusive evidence of interest.

- to be itemized.  
- limit of time  
for presenting.

SEC. 6. That all claims for reimbursement under this Act or the Act of July eighth, eighteen hundred and ninety-eight, shall be presented in itemized form to the Treasury Department on or before January first, nineteen hundred and two, or be forever barred.

*Fifty-sixth Congress, first session.*

**CHAP. 586.**—An Act Making appropriation for the support of the Regular and Volunteer Army for the fiscal year ending June thirtieth, nineteen hundred and one. May 26, 1900.  
[Public, No. 123.]  
31 Stats. L., p. 205.

\* \* \* \* \*

QUARTERMASTER'S DEPARTMENT.

\* \* \* \* \*

**CLOTHING, AND CAMP AND GARRISON EQUIPAGE:** \* \* \* Clothing, camp and garrison equipage.  
*Provided,* That on application of the governor of any State or Territory the Secretary of War is authorized to replace the quartermaster supplies which the volunteers from said State or Territory carried into the service of the United States Army during the recent war with Spain, and which have been retained by the United States, exclusive of such supplies as have been allowed for in the office of the Auditor for the War Department and such award accepted by a State. Proviso.  
Replacing quartermaster supplies of State troops.

\* \* \* \* \*

ORDNANCE DEPARTMENT.

\* \* \* \* \*

\* \* \* *Provided,* That on application of the governor of any State or Territory the Secretary of War is authorized to replace the ordnance and ordnance stores which the volunteers from said State or Territory carried into the service of the United States Army during the recent war with Spain, and which have been retained by the United States. \* \* \* Proviso.  
Replacing ordnance, etc., to States used by volunteers in Spanish war.

\* \* \* \* \*

**CHAP. 791.**—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes. June 6, 1900.  
[Public, No. 163.]  
31 Stats. L., p. 588.

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MISCELLANEOUS OBJECTS UNDER THE TREASURY DEPARTMENT.

\* \* \* \* \*

That so much of section four of the Act approved March third, eighteen hundred and ninety-nine, entitled "An Act to amend an Act entitled 'An Act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,'" as authorizes or directs the Secretary of the Treasury to institute any act or proceedings which he may consider advisable against any State or its representatives to secure the payment of the principal and interest of any bonds or stocks issued or guaranteed by said State the ownership of which is Settlement of State claims for Spanish war expenses.  
Suits against States, etc.  
Chap. 445, vol. 30, p. 1356; repeal.

vested in the United States is hereby repealed, and the Secretary of the Treasury is hereby directed to discontinue and dismiss any suits, actions, or proceedings which have been begun under the authority of said section four.

\* \* \* \* \*

MISCELLANEOUS OBJECTS, WAR DEPARTMENT.

\* \* \* \* \*

Report on claims for property taken in the military service, war with Spain.

**REPORT UPON CLAIMS FOR PRIVATE PROPERTY TAKEN IN THE MILITARY SERVICE:** For investigation of just claims against the United States for private property taken and used in the military service within the limits of the United States during the war with Spain, ten thousand dollars, or so much thereof as may be necessary, and the Secretary of War is hereby authorized and directed to cause to be investigated all such claims and to ascertain the loss and injury, if any, that may have been sustained by such claimants, and he shall report to Congress for its consideration what amount or amounts he finds to be equitably due from the United States to such claimants: *Provided*, That all claims not presented to the Secretary of War under this provision prior to the first day of January, nineteen hundred and one, shall not be considered by him and shall be forever barred. \* \* \*

\* \* \* \* \*

*Proviso.*  
When claims barred.

*Fifty-seventh Congress, first session.*

June 28, 1902.  
[Public, No. 190.]  
32 Stats. L., pt. 1, p. 486.

**CHAP. 1309.**—An Act For the allowance of certain claims for property taken for military purposes within the United States during the war with Spain, reported by the Secretary of War in accordance with the requirements of an item contained in the sundry civil appropriation Act, approved June sixth, nineteen hundred, authorizing and directing the Secretary of War to investigate just claims against the United States for private property taken and used in the military service within the limits of the United States, and so forth.

Spanish war claims appropriations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to claimants in this Act named the several sums appropriated herein, the same being in full for and the receipt of the same to be taken and accepted in each case as a full and final release and discharge of their respective claims, namely:

Alabama.

ALABAMA.

- To W. J. Edmondson, fifty dollars.
- To A. Campbell, thirty-six dollars.
- To James Henry, twenty dollars.
- To Frank Hemley, two hundred and fifty-six dollars.
- To Willingham and Company, four thousand one hundred and ninety-nine dollars and eighty-one cents.



**To Holmes Earl, twenty-six dollars and sixty-seven cents.**

**To Agatha Moore, administratrix, four hundred and twenty dollars and fifty-one cents.**

**DELAWARE.**

**Delaware.**

**To the State of Delaware, six hundred and twenty-five dollars and eighty-five cents.**

**FLORIDA.**

**Florida.**

**To Sisters of Saint Joseph Convent, one hundred and forty dollars.**

**To C. C. Robertson, agent, eighteen dollars.**

**To Henry Kizer, forty dollars.**

**To Mary Brickell, six hundred dollars.**

**To Enoch B. Chamberlain, twenty-five dollars.**

**To John B. Cuneo, forty dollars.**

**To Mrs. E. C. Beach, three hundred and twenty-one dollars.**

**To H. W. Beach, three hundred and eighty-eight dollars.**

**To J. D. Clark, thirty-seven dollars and fifty cents.**

**To J. H. May, five hundred dollars.**

**GEORGIA.**

**Georgia.**

**To James H. Butner, ten dollars.**

**To J. H. Brown, seventy-five dollars.**

**To American National Bank, ten dollars.**

**To W. G. Solomon, ten dollars.**

**To John W. Smith and R. F. Cowan, deputy sheriff, sixty-nine dollars and sixty cents.**

**To C. B. Willingham, thirty dollars.**

**To Henry B. King, eighty-eight dollars and twenty-five cents.**

**To J. R. Montgomery, seventeen dollars and fifty cents.**

**To A. L. Dodge, one hundred and twenty dollars.**

**To Chatham Artillery, one hundred and seventy-five dollars.**

**To J. W. Golden, one hundred and twenty-five dollars.**

**To August Gerzikouski, four hundred dollars.**

**To J. H. and F. M. Butner, fifty dollars.**

**To E. P. Lawson, agent of E. L. Mastick, one hundred dollars.**

**To M. J. O'Leary, three hundred and thirty-five dollars.**

**To Alfred Miller, one hundred dollars.**

**To Meyers and Richardson, eighty-six dollars.**

**To Mary E. Morrison, two hundred dollars.**

**To Roderick R. Riley, one hundred and ninety-two dollars.**

**To Charles O'Connell, ten dollars.**

**To John Lady, one hundred and eighty-five dollars.**

**To John Jerden, five hundred dollars.**

To Mrs. H. H. Groth, thirty-five dollars.

To J. L. and W. L. Broom, one hundred and ten dollars.

To Andrew Bradley, one hundred and sixty-six dollars.

To James C. Gordon, three hundred and eighty dollars and forty cents.

To Mrs. A. E. Roesel, four hundred and ninety-two dollars and sixty cents.

To J. R. Peters, forty-five dollars.

To T. W. and Gordon Lee, one hundred and forty-five dollars and seventy-five cents.

To J. B. Dixon, forty-nine dollars and fifty cents.

To Lee and Gordon Mill Company, two hundred and seventy-five dollars.

To S. H. Martin, one hundred and forty-nine dollars.

To the city of Macon, five thousand three hundred and four dollars and seventy-two cents.

To J. W. Stapp, seventy dollars.

To J. B. Beaver, three hundred and five dollars.

To D. H. Devereaux, five dollars.

To the State of Georgia, nine hundred and sixteen dollars and ninety-nine cents.

To T. N. Woolfolk, two hundred and fifty dollars.

To S. Seisel, ten dollars.

Illinois.

ILLINOIS.

To the Illinois Board of Agriculture, fifty-one dollars.

Iowa.

IOWA.

To Jesse Hayne, three dollars and fifty cents.

To W. H. Clark, sixty-four dollars and seventy-five cents.

To Mary Watts, one hundred and eighteen dollars and forty-two cents.

To William Gordon, two hundred and fifty-one dollars.

To the Asbury Methodist Episcopal Church, one hundred and seventy-five dollars and fifty cents.

To Mrs. N. E. Newans, thirty-two dollars and fifty cents.

To George Spaulding, twenty-five dollars.

To Mrs. S. Clark, one hundred and sixty-two dollars.

Kentucky.

KENTUCKY.

To J. W. Royster, ninety dollars.

To W. G. Downing, thirty dollars.

Louisiana.

LOUISIANA.

To the Crescent City Jockey Club, one thousand three hundred and ninety-one dollars and thirty-five cents.

**MASSACHUSETTS.**

**Massachusetts.**

To Antonio Gregori, sixteen dollars.

**NEW HAMPSHIRE.**

**New Hamp  
shire.**

To Justin H. Yeaton, five dollars.

**NEW YORK.**

**New York.**

To J. W. Mayhew, four hundred and thirty-five dollars.

**NORTH CAROLINA.**

**North Caro-  
lina.**

To the North Carolina Agricultural Society, four hundred and ninety-two dollars and thirty-eight cents.

**PENNSYLVANIA.**

**Pennsylvania.**

To David Stout, six hundred and fifty-six dollars and fifty-six cents.

To Michael Kohr, one hundred and thirty-seven dollars.

To the estate of James Young, deceased, five thousand three hundred and eighteen dollars and ten cents.

To Mrs. Anna E. Mumma, three thousand eight hundred and thirty-three dollars and nine cents.

To John Motter, three thousand three hundred and twenty dollars and seventy-six cents.

To H. N. Shope, five hundred and fifty-two dollars and sixty-two cents.

To W. M. Oglesby, one hundred and nineteen dollars and fifty cents.

To Miss Mary L. Gray, eight hundred and fifty-nine dollars and fifty-two cents.

To M. A. Frantz, forty-one dollars.

To J. F. Klugh, two hundred and thirty-five dollars and twelve cents.

To D. C. Ulrich, fifty-three dollars and twenty cents.

To T. N. Heicher, agent of Mary Stoner, five hundred and eighty-three dollars and fifty cents.

To Ed. Stauffer, ninety dollars.

To Abram Kaylor, one hundred dollars.

To A. C. Hocker, twenty dollars.

To J. J. Mumma, junior, nine dollars.

To C. H. Hoffer, sixteen dollars and eighty-five cents.

To J. G. Stauffer, seventy-nine dollars and thirty-nine cents.

To W. A. Croll, seventy-five dollars.

To D. B. Keiffer, fifty dollars.

To the Conewago Iron Company, one hundred and five dollars and seventy cents.

To John W. Rife, forty-five dollars.

To W. H. Diffenderfer, one hundred and fifteen dollars.

To the Raymond and Campbell Manufacturing Company, one hundred and sixty-two dollars.

To Christian L. Swartz, two dollars and forty cents.

To Aaron E. Brandt, twenty dollars.

To Jacob Ebersole, fifteen dollars.

To Samuel Winter, six dollars.

To Adam Reem, nine dollars.

To J. L. Fisher, fifty-four dollars and fifty cents.

To the estate of Jacob Rife, deceased, one hundred and eight dollars and fifty-one cents.

To John N. Brooks, eighty-one dollars and forty-one cents.

To John Eshleman, ninety-eight dollars.

To C. A. Kunkel, one hundred and sixty dollars.

To Joseph Rupp, sixty-six dollars.

To the estate of Samuel Mumma, deceased, fifty-three dollars and five cents.

To Henry J. Roop, twelve dollars.

To the American Tube and Iron Company, forty-five dollars.

To Henry Alleman, forty-six dollars.

To Solomon Zimmerman, two hundred and ninety-seven dollars and fifty-five cents.

To Daniel S. Kohr, trustee of the Mennonite Church, one hundred and fifty-two dollars and eight cents.

To H. R. Strayer, six hundred and one dollars and seventeen cents.

To Daniel S. Kohr, five hundred and four dollars and eleven cents.

To W. W. Fisher, six hundred and fifty-eight dollars and sixty-nine cents.

To H. L. Heisey, five hundred dollars.

To Isaac Coble, one thousand and seventy-nine dollars and forty cents.

To Swartz Brothers, one thousand one hundred and ninety-five dollars and eighteen cents.

To A. G. Shope, two hundred and sixty-one dollars.

To R. H. and G. W. Springer, thirty-seven dollars and ninety cents.

To D. H. Parthemore, twenty-two dollars and fifty cents.

South Carolina.

#### SOUTH CAROLINA.

To James F. Williams, ninety dollars.

To A. G. Gower, twenty-six dollars and twenty-two cents.

To E. A. Stone, seven hundred and seventy-eight dollars.

To T. W. Barr, seventeen dollars and twenty-five cents.

To J. E. Earle, two hundred and six dollars.

To Caroline Fields, six dollars.

To H. F. Means, ninety dollars.

To Mrs. A. M. Wilbur and Miss M. L. Latimer, thirty dollars.

To Cely and Brother, one hundred and seventy-six dollars.

To W. L. Gassaway, one hundred and fifty-eight dollars

To J. W. Duncan, twenty-five dollars.

To Mrs. E. L. Jantzon, sixty-five dollars.  
 To B. M. Langford, fifty dollars.  
 To W. C. Fleming, twenty-five dollars.  
 To C. A. Snider, fifteen dollars.  
 To W. C. Cleveland, thirty dollars.  
 To the estate of W. W. S. Orr, eighty-one dollars.  
 To O. P. Mills, twenty dollars.  
 To L. B. Smith, ninety dollars.  
 To Charles and McBrayer, sixty-seven dollars.  
 To Sarah E. Montgomery, one hundred dollars.  
 To W. H. Singleton, four dollars and fifty cents.  
 To H. C. Mark, one hundred and ten dollars.  
 To Wilkins, Poe and Company, one hundred dollars.  
 To Mrs. Mary J. Card, one hundred and five dollars.

**TENNESSEE.**

**Tennessee.**

To M. D. L. Martin, fifty-three dollars and forty cents.  
 To F. A. R. Scott, one hundred and fifty dollars and eighty-nine cents.  
 To S. M. Hawkins, junior, ten dollars.

**TEXAS.**

**Texas.**

To Richard G. Scott, one hundred and fifty dollars.  
 To the Galveston Land and Improvement Company, one thousand one hundred and sixty-six dollars and sixty-six cents.

**VIRGINIA.**

**Virginia.**

To J. F. Dyer, five dollars.  
 To Doctor L. W. Ritchie, twenty-five dollars.  
 To R. E. Marshall, seventy-five dollars.  
 To William Pinn, forty-eight dollars.  
 To James W. Carr, twenty-five dollars.  
 To W. G. Crewe, thirty dollars.  
 To Mrs. M. C. Swart, seventy-five dollars.  
 To Mrs. Sarah Yeatman, thirty-five dollars.  
 To Thornton Johnson, twenty-two dollars and fifty cents.  
 To T. B. Whedbee, nine dollars.  
 To Franz Peters, seven dollars and fifty cents.  
 To R. A. Jones, thirty-four dollars.  
 To William Beverly, three dollars.  
 To H. G. Thornton, fourteen dollars.  
 To James Griffith, thirty dollars.  
 To Mrs. Jane R. Foley, thirteen dollars.  
 To J. W. Fletcher, twenty-eight dollars.  
 To Patrick Sweeney, thirty dollars.  
 To Shedrick Carter, two dollars.  
 To George C. Bleight, two hundred and fifteen dollars.  
 To J. T. Smallwood, five dollars.  
 To the Fair Grounds Company, of Richmond, Virginia, two thousand nine hundred and twenty-one dollars.  
 To R. W. and J. F. Trammell, one hundred and twenty-five dollars.

To Mrs. Emma F. Campbell, two thousand one hundred and ninety-two dollars and sixty-two cents.

To W. W. Biggs, ninety-five dollars.

To Richard King, two hundred and twenty dollars.

To William H. Wrenn, one hundred and fifteen dollars.

To F. L. Brenizer, three hundred dollars.

To T. T. Taylor, one hundred and thirty-two dollars.

To E. D. Cornell, one hundred dollars.

To W. P. Poole, sixty-five dollars.

To Belle V. Brant, six dollars and fifty cents.

To Charles Taylor, two hundred and eight dollars.

To F. L. Birch, two hundred and sixteen dollars.

To George S. Van de Mark, one hundred and eighty-five dollars and twenty-six cents.

To A. J. Wedderburn, one hundred and seventy-three dollars.



# WAR REVENUES.

*Fifty-fifth Congress, second session.*

**CHAP. 448.**—An Act To provide ways and means to meet war expenditures, and for other purposes.

June 13, 1898.

[Public, No. 133.]  
30 Stats. L., p.  
448.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be paid, in lieu of the tax of one dollar now imposed by law, a tax of two dollars on all beer, lager beer, ale, porter, and other similar fermented liquors, brewed or manufactured and sold, or stored in warehouse, or removed for consumption or sale, within the United States, by whatever name such liquors may be called, for every barrel containing not more than thirty-one gallons; and at a like rate for any other quantity or for the fractional parts of a barrel authorized and defined by law. And section thirty-three hundred and thirty-nine of the Revised Statutes is hereby amended accordingly: *Provided*, That a discount of seven and one-half per centum shall be allowed upon all sales by collectors to brewers of the stamps provided for the payment of said tax: *Provided further*, That the additional tax imposed in this section on all fermented liquors stored in warehouse to which a stamp had been affixed shall be assessed and collected in the manner now provided by law for the collection of taxes not paid by stamps.

Taxes to meet  
war expendi-  
tures.  
—on fermented  
liquors.

R. S., sec. 3339,  
p. 651, amended.  
*Provisos.*  
Stamp dis-  
count.

Collection,  
etc., of addi-  
tional tax on  
liquors in ware-  
house.

## SPECIAL TAXES.

**SEC. 2.** That from and after July first, eighteen hundred and ninety-eight, special taxes shall be, and hereby are, imposed annually as follows, that is to say:

Special taxes.

One. Bankers using or employing a capital not exceeding the sum of twenty-five thousand dollars shall pay fifty dollars; when using or employing a capital exceeding twenty-five thousand dollars, for every additional thousand dollars in excess of twenty-five thousand dollars, two dollars, and in estimating capital surplus shall be included. The amount of such annual tax shall in all cases be computed on the basis of the capital and surplus for the preceding fiscal year. Every person, firm, or company, and every incorporated or other bank, having a place of business where credits are opened by the deposit or collection of money or currency, subject to be paid or remitted upon draft, check, or order, or where money is advanced or loaned on stocks, bonds, bullion, bills of exchange, or promissory notes, or where stocks, bonds, bullion, bills of exchange, or promissory notes are received

—on bankers.

—definition.

*Proviso.*  
*Exception.*

for discount or sale, shall be a banker under this Act: *Provided*, That any savings bank having no capital stock, and whose business is confined to receiving deposits and loaning or investing the same for the benefit of its depositors, and which does no other business of banking, shall not be subject to this tax.

—on brokers.  
—definition.

Two. Brokers shall pay fifty dollars. Every person, firm, or company, whose business it is to negotiate purchases or sales of stocks, bonds, exchange, bullion, coined money, bank notes, promissory notes, or other securities, for themselves or others, shall be regarded as a broker:

*Proviso.*  
Bankers not  
taxable as bro-  
kers.

*Provided*, That any person having paid the special tax as a banker shall not be required to pay the special tax as a broker.

—on pawnbro-  
kers.  
—definition.

Three. Pawnbrokers shall pay twenty dollars. Every person, firm, or company whose business or occupation it is to take or receive, by way of pledge, pawn, or exchange, any goods, wares, or merchandise, or any kind of personal property whatever, as security for the repayment of money loaned thereon, shall be deemed a pawnbroker.

Tax on com-  
mercial bro-  
kers.  
—definition.

Four. Commercial brokers shall pay twenty dollars. Every person, firm or company whose business it is as a broker to negotiate sales or purchases of goods, wares, produce, or merchandise, or to negotiate freights and other business for the owners of vessels, or for the shippers or consignors or consignees of freight carried by vessels, shall be regarded as a commercial broker under this Act.

—on custom-  
house brokers.  
—definition.

Five. Custom-house brokers shall pay ten dollars. Every person, firm, or company whose occupation it is, as the agent of others, to arrange entries and other custom-house papers, or transact business at any port of entry relating to the importation or exportation of goods, wares, or merchandise, shall be regarded as a custom-house broker.

—on theaters,  
museums, and  
concert halls.  
—definitions.

Six. Proprietors of theaters, museums, and concert halls in cities having more than twenty-five thousand population as shown by the last preceding United States census, shall pay one hundred dollars. Every edifice used for the purpose of dramatic or operatic or other representations, plays, or performances, for admission to which entrance money is received, not including halls rented or used occasionally for concerts or theatrical representations, shall be regarded as a theater: *Provided*, That whenever any such edifice is under lease at the passage of this Act, the tax shall be paid by the lessee, unless otherwise stipulated between the parties to said lease.

*Proviso.*  
Payment by  
lessees.

—on circuses.  
—definition.

Seven. The proprietor or proprietors of circuses shall pay one hundred dollars. Every building, space, tent, or area where feats of horsemanship or acrobatic sports or theatrical performances are exhibited shall be regarded as a circus: *Provided*, That no special tax paid in one State, Territory, or the District of Columbia shall exempt exhibitions from the tax in another State, Territory, or the District of Columbia, and but one special tax shall be imposed for exhibitions within any one State, Territory, or District.

*Proviso.*  
Payment of  
tax in one State,  
etc., not an ex-  
emption in other  
States, etc.

Eight. Proprietors or agents of all other public exhibitions or shows for money not enumerated in this section shall pay ten dollars: *Provided*, That a special tax paid in one State, Territory, or the District of Columbia shall not exempt exhibitions from the tax in another State, Territory, or the District of Columbia, and but one special tax shall be required for exhibitions within any one State, Territory, or the District of Columbia.

—on public exhibitions unenumerated.

*Proviso.*

Payment of tax in one State, etc., not an exemption in other States, etc.

Nine. Proprietors of bowling alleys and billiard rooms shall pay five dollars for each alley or table. Every building or place where bowls are thrown or where games of billiards or pool are played, and that are open to the public with or without price, shall be regarded as a bowling alley or a billiard room, respectively.

—on bowling alleys and billiard tables.

—definitions.

#### TOBACCO, CIGARS, CIGARETTES, AND SNUFF.

SEC. 3. That there shall, in lieu of the tax now imposed by law, be levied and collected a tax of twelve cents per pound upon all tobacco and snuff, however prepared, manufactured, and sold, or removed for consumption or sale; and upon cigars and cigarettes which shall be manufactured and sold, or removed for consumption or sale, there shall be levied and collected the following taxes, to be paid by the manufacturer thereof, namely, a tax of three dollars and sixty cents per thousand on cigars of all descriptions made of tobacco, or any substitute therefor, and weighing more than three pounds per thousand, and of one dollar per thousand on cigars made of tobacco or any substitute therefor, and weighing not more than three pounds per thousand; and a tax of three dollars and sixty cents per thousand on cigarettes made of tobacco or any substitute therefor, and weighing more than three pounds per thousand; and one dollar and fifty cents per thousand on cigarettes made of tobacco or any substitute therefor, and weighing not more than three pounds per thousand: *Provided*, That in lieu of the two, three, and four ounce packages of tobacco and snuff now authorized by law, there may be packages thereof containing one and two-thirds ounces, two and one-half ounces, and three and one-third ounces, respectively, and in addition to packages now authorized by law, there may be packages containing one ounce of smoking tobacco.

Tobacco, cigars, cigarettes, and snuff.

Tax on tobacco and snuff.

—on cigars and cigarettes.

Laws, 1st session, 55th Congress, p. 206.

*Proviso.*

Packages of smoking tobacco and snuff.

And there shall also be assessed and collected with the exceptions hereinafter in this section provided for, upon all the articles enumerated in this section which were manufactured, imported, and removed from factory or custom-house before the passage of this Act bearing tax stamps affixed to such articles for the payment of the taxes thereon, and canceled subsequent to April fourteenth, eighteen hundred and ninety-eight, and which articles were at the time of the passage of this Act held and intended for sale by any person, a tax equal to one-half the difference between the tax already paid on such articles at the time of removal from the factory or custom-house and the tax levied in this Act upon such articles.

Additional tax on articles removed for sale, etc., bearing old stamps.

Returns of stock having paid former tax.

Form of return, etc.

Collection of additional tax.

Appropriation for deputy collectors, clerks, etc.

Additional internal-revenue agents.

R. S., 3152, p. 614.  
Vol. 20, p. 329.

Every person having on the day succeeding the date of the passage of this Act any of the above-described articles on hand for sale in excess of one thousand pounds of manufactured tobacco and twenty thousand cigars or cigarettes, and which have been removed from the factory where produced or the custom-house through which imported, bearing the rate of tax payable thereon at the time of such removal, shall make a full and true return under oath in duplicate of the quantity thereof, in pounds as to the tobacco and snuff and in thousands as to the cigars and cigarettes so held on that day, in such form and under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe. Such returns shall be made and delivered to the collector or deputy collector for the proper internal-revenue district within thirty days after the passage of this Act. One of said returns shall be retained by the collector and the other forwarded to the Commissioner of Internal Revenue, together with the assessment list for the month in which the return is received, and the Commissioner of Internal Revenue shall assess and collect the taxes found to be due, as other taxes not paid by stamps are assessed and collected.

And for the expense connected with the assessment and collection of the taxes provided by this Act there is hereby appropriated the sum of one hundred thousand dollars, or so much thereof as may be required, out of any moneys in the Treasury not otherwise appropriated, for the employment of such deputy collectors and other employees in the several collection districts in the United States, and such clerks and employees in the Bureau of Internal Revenue as may, in the discretion of the Commissioner of Internal Revenue, be necessary for a period not exceeding one year, to be compensated for their services by such allowances as shall be made by the Secretary of the Treasury, upon the recommendation of the Commissioner of Internal Revenue. And the Commissioner of Internal Revenue is authorized to employ ten agents, to be known and designated as internal-revenue agents, in addition to the number now authorized in section thirty-one hundred and fifty-two of the Revised Statutes as amended, and the existing provisions of law in all other respects shall apply to the duties, compensation, and expenses of such agents.

#### TOBACCO DEALERS AND MANUFACTURERS.

Tax on dealers.

--how computed.

SEC. 4. That from and after July first, eighteen hundred and ninety-eight, special taxes on tobacco dealers and manufacturers shall be and hereby are imposed annually as follows, the amount of such annual taxes to be computed in all cases on the basis of the annual sales for the preceding fiscal year:

Dealers in leaf tobacco whose annual sales do not exceed fifty thousand pounds shall each pay six dollars. Dealers in leaf tobacco whose annual sales exceed fifty thousand and do not exceed one hundred thousand pounds shall

pay twelve dollars, and if their annual sales exceed one hundred thousand pounds shall pay twenty-four dollars.

Dealers in tobacco whose annual sales exceed fifty thousand pounds shall each pay twelve dollars.

Every person whose business it is to sell, or offer for sale, manufactured tobacco, snuff, or cigars shall be regarded as a dealer in tobacco: *Provided*, That no manufacturer of tobacco, snuff, or cigars shall be required to pay a special tax as dealer in manufactured tobacco and cigars for selling his own products at the place of manufacture.

"Dealer." defined.

*Proviso.*  
Manufacturer not taxed as dealer, etc.

Manufacturers of tobacco whose annual sales do not exceed fifty thousand pounds shall each pay six dollars.

Tax on manufacturers.

Manufacturers of tobacco whose annual sales exceed fifty thousand and do not exceed one hundred thousand pounds shall each pay twelve dollars.

Manufacturers of tobacco whose annual sales exceed one hundred thousand pounds shall each pay twenty-four dollars.

Manufacturers of cigars whose annual sales do not exceed one hundred thousand cigars shall each pay six dollars.

Manufacturers of cigars whose annual sales exceed one hundred thousand and do not exceed two hundred thousand cigars shall each pay twelve dollars.

Manufacturers of cigars whose annual sales exceed two hundred thousand cigars shall each pay twenty-four dollars.

And every person who carries on any business or occupation for which special taxes are imposed by this Act, without having paid the special tax herein provided, shall, besides being liable to the payment of such special tax, be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not more than five hundred dollars, or be imprisoned not more than six months, or both, at the discretion of the court.

Penalty for failure to pay tax.

SEC. 5. Until appropriate stamps are prepared and furnished, the stamps heretofore used to denote the payment of the internal-revenue tax on fermented liquors, tobacco, snuff, cigars and cigarettes may be stamped or imprinted with a suitable device to denote the new rate of tax, and shall be affixed to all packages containing such articles on which the tax imposed by this Act is paid. And any person having possession of unaffixed stamps heretofore issued for the payment of the tax upon fermented liquors, tobacco, snuff, cigars, or cigarettes shall present the same to the collector of the district, who shall receive them at the price paid for such stamps by the purchasers and issue in lieu thereof new or imprinted stamps at the rate provided by this Act.

Temporary use of old stamps.

—to be marked to denote new rate.

—issue of in lieu of unmarked stamps.

#### ADHESIVE STAMPS.

SEC. 6. That on and after the first day of July, eighteen hundred and ninety-eight, there shall be levied, collected, and paid, for and in respect of the several bonds, de-

—on bonds, etc.



ventures, or certificates of stock and of indebtedness, and other documents, instruments, matters, and things mentioned and described in Schedule A of this Act, or for or in respect of the vellum, parchment, or paper upon which such instruments, matters, or things, or any of them, shall be written or printed by any person or persons, or party who shall make, sign, or issue the same, or for whose use or benefit the same shall be made, signed, or issued, the several taxes or sums of money set down in figures against the same, respectively, or otherwise specified or set forth in the said schedule.

—on medicines,  
etc.

And there shall also be levied, collected, and paid, for and in respect to the medicines, preparations, matters, and things mentioned and described in Schedule B of this Act, manufactured, sold, or removed for sale, the several taxes or sums of money set down in words or figures against the same, respectively, or otherwise specified or set forth in Schedule B of this Act.

• Penalty for  
failure to  
stamp.

SEC. 7. That if any person or persons shall make, sign, or issue, or cause to be made, signed, or issued, any instrument, document, or paper of any kind or description whatsoever, without the same being duly stamped for denoting the tax hereby imposed thereon, or without having thereupon an adhesive stamp to denote said tax, such person or persons shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not more than one hundred dollars, at the discretion of the court, and such instrument, document, or paper, as aforesaid, shall not be competent evidence in any court.

Penalty for  
forging stamps,  
dies, &c.

SEC. 8. That if any person shall forge or counterfeit, or cause or procure to be forged or counterfeited, any stamp, die, plate, or other instrument, or any part of any stamp, die, plate, or other instrument which shall have been provided, or may hereafter be provided, made, or used in pursuance of this Act, or shall forge, counterfeit, or resemble, or cause or procure to be forged, counterfeited, or resembled, the impression, or any part of the impression, of any such stamp, die, plate, or other instrument as aforesaid, upon any vellum, parchment, or paper, or shall stamp or mark, or cause or procure to be stamped or marked, any vellum, parchment, or paper with any such forged or counterfeited stamp, die, plate, or other instrument, or part of any stamp, die, plate, or other instrument, as aforesaid, with intent to defraud the United States of any of the taxes hereby imposed, or any part thereof; or if any person shall utter, or sell, or expose for sale, any vellum, parchment, paper, article, or thing having thereupon the impression of any such counterfeited stamp, die, plate, or other instrument, or any part of any stamp, die, plate, or other instrument, or any such forged, counterfeited, or resembled impression, or part of impression, as aforesaid, knowing the same to be forged, counterfeited, or resembled; or if any person shall knowingly use or permit the use of any stamp, die, plate, or other instrument which shall have been so provided, made, or used as aforesaid, with intent to defraud the United

• impression of  
stamps, dies,  
etc.

—sale of, etc.

—use of, etc.





States; or if any person shall fraudulently cut, tear, or remove, or cause or procure to be cut, torn, or removed, the impression of any stamp, die, plate, or other instrument which shall have been provided, made, or used in pursuance of this Act from any vellum, parchment, or paper, or any instrument or writing charged or chargeable with any of the taxes imposed by law; or if any person shall fraudulently use, join, fix, or place, or cause to be used, joined, fixed, or placed, to, with, or upon any vellum, parchment, paper, or any instrument or writing charged or chargeable with any of the taxes hereby imposed, any adhesive stamp, or the impression of any stamp, die, plate, or other instrument, which shall have been provided, made, or used in pursuance of law, and which shall have been cut, torn, or removed from any other vellum, parchment, or paper, or any instrument or writing charged or chargeable with any of the taxes imposed by law; or if any person shall willfully remove or cause to be removed, alter or caused to be altered, the canceling or defacing marks of any adhesive stamp with intent to use the same, or to cause the use of the same, after it shall have been once used, or shall knowingly or willfully sell or buy such washed or restored stamp, or offer the same for sale, or give or expose the same to any person for use, or knowingly use the same, or prepare the same with intent for the further use thereof; or if any person shall knowingly and without lawful excuse (the proof whereof shall lie on the person accused) have in his possession any washed, restored, or altered stamp which has been removed from any vellum, parchment, paper, instrument, or writing, then, and in every such case, every person so offending, and every person knowingly and willfully aiding, abetting, or assisting in committing any such offenses as aforesaid shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall forfeit the said counterfeit stamps and the articles upon which they are placed, and shall be punished by fine not exceeding one thousand dollars, or by imprisonment and confinement at hard labor not exceeding five years, or both, at the discretion of the court.

—removing impression, etc.

—removal of canceling mark, etc.

SEC. 9. That in any and all cases where an adhesive stamp shall be used for denoting any tax imposed by this Act, except as hereinafter provided, the person using or affixing the same shall write or stamp thereupon the initials of his name and the date upon which the same shall be attached or used, so that the same may not again be used. And if any person shall fraudulently make use of an adhesive stamp to denote any tax imposed by this Act without so effectually canceling and obliterating such stamp, except as before mentioned, he, she, or they shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than fifty nor more than five hundred dollars, or be imprisoned not more than six months, or both, at the discretion of the court: *Provided*, That any proprietor or proprietors of proprietary articles, or articles subject to stamp duty under Schedule

Cancellation.

—penalty for failure to cancel.

*Proviso.*  
Proprietary articles, use of personal stamp die of owner.  
*Post*, p. 462.

B of this Act, shall have the privilege of furnishing, without expense to the United States, in suitable form, to be approved by the Commissioner of Internal Revenue, his or their own dies or designs for stamps to be used thereon, to be retained in the possession of the Commissioner of Internal Revenue, for his or their separate use, which shall not be duplicated to any other person. And the proprietor furnishing such dies or designs shall be required to purchase stamps printed therefrom in quantities of not less than two thousand dollars face value at any one time. That in all cases where such stamp is used, instead of cancellation by initials and date, the said stamp shall be so affixed on the box, bottle, or package that in opening the same, or using the contents thereof, the said stamp shall be effectually destroyed; and in default thereof the party making default shall be liable to the same penalty imposed for neglect to affix said stamp as hereinbefore prescribed in this Act. Any person who shall fraudulently obtain or use any of the aforesaid stamps or designs therefor, and any person forging or counterfeiting, or causing or procuring the forging or counterfeiting, any representation, likeness, similitude, or colorable imitation of the said last-mentioned stamp, or any engraver or printer who shall sell or give away said stamps, or selling the same, or, being a merchant, broker, peddler, or person dealing, in whole or in part, in similar goods, wares, merchandise, manufactures, preparations, or articles, or those designed for similar objects or purposes, shall have knowingly or fraudulently in his, her, or their possession any such forged, counterfeited likeness, similitude, or colorable imitation of the said last-mentioned stamp, shall be deemed guilty of a crime, and, upon conviction thereof, shall be punished by a fine not exceeding five hundred dollars or imprisonment not exceeding one year, or both.

SEC. 10. That if any person or persons shall make, sign, or issue, or cause to be made, signed, or issued, or shall accept or pay, or cause to be accepted or paid, with design to evade the payment of any stamp tax, any bill of exchange, draft, or order, or promissory note for the payment of money, liable to any of the taxes imposed by this Act, without the same being duly stamped, or having thereupon an adhesive stamp for denoting the tax hereby charged thereon, he, she, or they shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding two hundred dollars, at the discretion of the court.

SEC. 11. That the acceptor or acceptors of any bill of exchange or order for the payment of any sum of money drawn, or purporting to be drawn, in any foreign country, but payable in the United States, shall, before paying or accepting the same, place thereupon a stamp, indicating the tax upon the same, as the law requires for inland bills of exchange or promissory notes; and no bill of exchange shall be paid or negotiated without such stamp; and if any person shall pay or negotiate, or offer in pay-

--purchase of stamps.

--cancellation.

--penalty for fraudulent use, etc.

Issue, acceptance, etc., of unstamped bills of exchange, drafts, etc., with intent to evade tax.

--penalty.

Foreign bills of exchange payable in the United States.

--to be stamped before payment or acceptance.

--penalty.

ment, or receive or take in payment, any such draft or order, the person or persons so offending shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars, in the discretion of the court.

SEC. 12. That in any collection district where, in the judgment of the Commissioner of Internal Revenue, the facilities for the procurement and distribution of adhesive stamps are or shall be insufficient, the Commissioner, as aforesaid, is authorized to furnish, supply, and deliver to the collector of any district, and to any assistant treasurer of the United States or designated depository thereof, or any postmaster, a suitable quantity of adhesive stamps, without prepayment therefor, and may in advance require of any collector, assistant treasurer of the United States, or postmaster a bond, with sufficient sureties, to an amount equal to the value of the adhesive stamps which may be placed in his hands and remain unaccounted for, conditioned for the faithful return, whenever so required, of all quantities or amounts undisposed of, and for the payment monthly of all quantities or amounts sold or not remaining on hand. And it shall be the duty of such collector to supply his deputies with, or sell to other parties within his district who may make application therefor, adhesive stamps, upon the same terms allowed by law or under the regulations of the Commissioner of Internal Revenue, who is hereby authorized to make such other regulations, not inconsistent herewith, for the security of the United States and the better accommodation of the public, in relation to the matters hereinbefore mentioned, as he may judge necessary and expedient. And the Secretary of the Treasury may from time to time make such regulations as he may find necessary to insure the safe-keeping or prevent the illegal use of all such adhesive stamps.

Collection districts of limited facilities for distribution, etc., of stamps.

—designation of certain officers to sell.

Regulations.

SEC. 13. That any person or persons who shall register, issue, sell, or transfer, or who shall cause to be issued, registered, sold, or transferred, any instrument, document, or paper of any kind or description whatsoever mentioned in Schedule A of this Act, without the same being duly stamped, or having thereupon an adhesive stamp for denoting the tax chargeable thereon, and canceled in the manner required by law, with intent to evade the provisions of this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding fifty dollars, or by imprisonment not exceeding six months, or both, in the discretion of the court; and such instrument, document, or paper, not being stamped according to law, shall be deemed invalid and of no effect: *Provided*, That hereafter, in all cases where the party has not affixed to any instrument the stamp required by law thereon at the time of issuing, selling, or transferring the said bonds, debentures, or certificates of stock or of indebtedness, and he or they, or any party having an interest therein, shall be subsequently desirous of affixing such stamp to said instrument, or, if said instrument be

Issue, sale, etc., of unstamped bonds, etc., with intent to evade tax.

—penalty.

*Provided.*  
Instruments unstamped at issue, etc.

—subsequent validation of.

—unstamped by  
reason of acci-  
dent, etc.

Unstamped  
instrument is-  
sued where no  
collection dis-  
trict estab-  
lished.  
—affixing prop-  
er stamp.  
—vested rights  
not affected.

lost, to a copy thereof, he or they shall appear before the collector of internal revenue of the proper district, who shall, upon the payment of the price of the proper stamp required by law, and of a penalty of ten dollars, and, where the whole amount of the tax denoted by the stamp required shall exceed the sum of fifty dollars, on payment also of interest, at the rate of six per centum, on said tax from the day on which such stamp ought to have been affixed, affix the proper stamp to such bond, debenture, certificate of stock or of indebtedness or copy, and note upon the margin thereof the date of his so doing, and the fact that such penalty has been paid; and the same shall thereupon be deemed and held to be as valid, to all intents and purposes, as if stamped when made or issued: *And provided further*, That where it shall appear to said collector, upon oath or otherwise, to his satisfaction, that any such instrument has not been duly stamped, at the time of making or issuing the same, by reason of accident, mistake, inadvertence, or urgent necessity, and without any willful design to defraud the United States of the stamp, or to evade or delay the payment thereof, then and in such case, if such instrument, or, if the original be lost, a copy thereof, duly certified by the officer having charge of any records in which such original is required to be recorded, or otherwise duly proven to the satisfaction of the collector, shall, within twelve calendar months after the making or issuing thereof, be brought to the said collector of internal revenue to be stamped, and the stamp tax chargeable thereon shall be paid, it shall be lawful for the said collector to remit the penalty aforesaid and to cause such instrument to be duly stamped. And when the original instrument, or a certified or duly proven copy thereof, as aforesaid, duly stamped so as to entitle the same to be recorded, shall be presented to the clerk, register, recorder, or other officer having charge of the original record, it shall be lawful for such officer, upon the payment of the fee legally chargeable for the recording thereof, to make a new record thereof, or to note upon the original record the fact that the error or omission in the stamping of said original instrument has been corrected pursuant to law; and the original instrument or such certified copy, or the record thereof, may be used in all courts and places in the same manner and with like effect as if the instrument had been originally stamped: *And provided further*, That in all cases where the party has not affixed the stamp required by law upon any such instrument issued, registered, sold, or transferred at a time when and at a place where no collection district was established, it shall be lawful for him or them, or any party having an interest therein, to affix the proper stamp thereto, or, if the original be lost, to a copy thereof. But no right acquired in good faith before the stamping of such instrument, or copy thereof, as herein provided, if such record be required by law, shall in any manner be affected by such stamping as aforesaid.

SEC. 14. That hereafter no instrument, paper, or document required by law to be stamped, which has been signed or issued without being duly stamped, or with a deficient stamp, nor any copy thereof, shall be recorded or admitted, or used as evidence in any court until a legal stamp or stamps, denoting the amount of tax, shall have been affixed thereto, as prescribed by law: *Provided*, That any bond, debenture, certificate of stock, or certificate of indebtedness issued in any foreign country shall pay the same tax as is required by law on similar instruments when issued, sold, or transferred in the United States; and the party to whom the same is issued, or by whom it is sold or transferred, shall, before selling or transferring the same, affix thereon the stamp or stamps indicating the tax required.

Instrument not admitted in evidence until stamped.

Proviso Stamping of foreign bonds, etc.

SEC. 15. That it shall not be lawful to record or register any instrument, paper, or document required by law to be stamped unless a stamp or stamps of the proper amount shall have been affixed and canceled in the manner prescribed by law; and the record, registry, or transfer of any such instruments upon which the proper stamp or stamps aforesaid shall not have been affixed and canceled as aforesaid shall not be used in evidence.

Recording, etc., unstamped instruments.

SEC. 16. That no instrument, paper, or document required by law to be stamped shall be deemed or held invalid and of no effect for the want of a particular kind or description of stamp designated for and denoting the tax charged on any such instrument, paper, or document, provided a legal documentary stamp or stamps denoting a tax of equal amount shall have been duly affixed and used thereon.

Instrument not invalidated for want of particular kind of stamp.

SEC. 17. That all bonds, debentures, or certificates of indebtedness issued by the officers of the United States Government, or by the officers of any State, county, town, municipal corporation, or other corporation exercising the taxing power, shall be, and hereby are, exempt from the stamp taxes required by this Act: *Provided*, That it is the intent hereby to exempt from the stamp taxes imposed by this Act such State, county, town, or other municipal corporations in the exercise only of functions strictly belonging to them in their ordinary governmental, taxing, or municipal capacity: *Provided further*, That stock and bonds issued by cooperative building and loan associations whose capital stock does not exceed ten thousand dollars, and building and loan associations or companies that make loans only to their shareholders, shall be exempt from the tax herein provided.

Exemptions from stamp taxes.

Provisos. —intent.

—further exemptions.

SEC. 18. That on and after the first day of July, eighteen hundred and ninety-eight, no telegraph company or its agent or employee shall transmit to any person any dispatch or message without an adhesive stamp, denoting the tax imposed by this Act, being affixed to a copy thereof, or having the same stamped thereupon, and in default thereof shall incur a penalty of ten dollars: *Provided*, That only one stamp shall be required on each dispatch

Stamps on telegraph messages.

Provisos. Limit.



or message, whether sent through one or more companies: *Provided*, That the messages or dispatches of the officers and employees of any telegraph or telephone company concerning the affairs and service of the company, and like messages or dispatches of the officials and employees of railroad companies sent over the wires on their respective railroads shall be exempt from this requirement: *Provided further*, That messages of officers and employees of the Government on official business shall be exempt from the taxes herein imposed upon telegraphic and telephonic messages.

—Government business.

Provisions as to dies, etc., to include drugs, etc.

SEC. 19. That all the provisions of this Act relating to dies, stamps, adhesive stamps, and stamp taxes shall extend to and include (except where manifestly inapplicable) all the articles or objects enumerated in Schedule B, subject to stamp taxes, and apply to the provisions in relation thereto.

Time when tax on drugs, etc., goes into effect.  
—penalty.

SEC. 20. That on and after the first day of July, eighteen hundred and ninety-eight, any person, firm, company, or corporation that shall make, prepare, and sell, or remove for consumption or sale, drugs, medicines, preparations, compositions, articles, or things, including perfumery and cosmetics, upon which a tax is imposed by this Act, as provided for in Schedule B, without affixing thereto an adhesive stamp or label denoting the tax before mentioned shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not more than five hundred dollars, or be imprisoned not more than six months, or both, at the discretion of the court: *Provided*, That no stamp tax shall be imposed upon any uncompounded medicinal drug or chemical, nor upon any medicine sold to or for the use of any person which may be mixed or compounded for said person according to the written recipe or prescription of any practicing physician or surgeon, or which may be put up or compounded for said person by a druggist or pharmacist selling at retail only. The stamp taxes provided for in Schedule B of this Act shall apply to all medicinal articles compounded by any formula, published or unpublished, which are put up in style or manner similar to that of patent, trade-mark, or proprietary medicine in general, or which are advertised on the package or otherwise as remedies or specifics for any ailment, or as having any special claim to merit, or to any peculiar advantage in mode of preparation, quality, use, or effect.

*Proviso.*  
Exemptions.

Application of tax to patent medicines.

Detaching stamps; re-use of, etc.

SEC. 21. That any manufacturer or maker of any of the articles for sale mentioned in Schedule B, after the same shall have been so made, and the particulars hereinbefore required as to stamps have been complied with, or any other person who shall take off, remove, or detach, or cause, or permit, or suffer to be taken off, or removed or detached, any stamp, or who shall use any stamp, or any wrapper or cover to which any stamp is affixed, to cover any other article or commodity than that originally contained in such wrapper or cover, with such stamp when first used, with the intent to evade the stamp duties, shall



for every such article, respectively, in respect of which any such offense shall be committed, be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not more than five hundred dollars, or be imprisoned not more than six months, or both, at the discretion of the court, and every such article or commodity as aforesaid shall also be forfeited. —penalty.

SEC. 22. That any maker or manufacturer of any of the articles or commodities mentioned in Schedule B, as aforesaid, or any other person who shall sell, send out, remove, or deliver any article or commodity, manufactured as aforesaid, before the tax thereon shall have been fully paid by affixing thereon the proper stamp, as in this Act provided, or who shall hide or conceal, or cause to be hidden or concealed, or who shall remove or convey away, or deposit, or cause to be removed or conveyed away from or deposited in any place, any such article or commodity, to evade the tax chargeable thereon, or any part thereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not more than five hundred dollars, or be imprisoned not more than six months, or both, at the discretion of the court, together with the forfeiture of any such article or commodity: *Provided*, That articles upon which stamp taxes are required by this Act may, when intended for exportation, be manufactured and sold or removed without having stamps affixed thereto, and without being charged with tax as aforesaid; and every manufacturer or maker of any article as aforesaid, intended for exportation, shall give such bonds and be subject to such rules and regulations to protect the revenue against fraud as may be from time to time prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury.

Penalty for failure to stamp, etc.

Proviso. Articles for exportation exempted.

SEC. 23. That every manufacturer or maker of any of the articles or commodities provided for in Schedule B, or his foreman, agent, or superintendent shall at the end of each and every month make, sign, and file with the collector of internal revenue for the district in which he resides a declaration in writing that no such article or commodity has, during such preceding month or time when the last declaration was made, been removed, or carried, or sent, or caused or suffered or known to have been removed, carried, or sent from the premises of such manufacturer or maker other than such as have been duly taken account of and charged with the stamp tax, on pain of such manufacturer or maker forfeiting for every refusal or neglect to make such declaration one hundred dollars; and if any such manufacturer or maker, or his foreman, agent, or superintendent, shall make any false or untrue declaration, such manufacturer or maker, or foreman, agent, or superintendent making the same shall be deemed guilty of a misdemeanor, and upon conviction shall pay a fine of not more than five hundred dollars, or be imprisoned not more than six months, or both, at the discretion of the court. —penalty.

Manufacturer's monthly statement of compliance with stamp tax.

SEC. 24. That the stamp taxes prescribed in this Act on the articles provided for in Schedule B shall attach to all

Time of attachment of tax on drugs, etc.

such articles and things sold or removed for sale on and after the said first day of July, eighteen hundred and ninety-eight. Every person, except as otherwise provided in this Act, who offers or exposes for sale any article or thing provided for in said Schedule B, whether the article so offered or exposed is of foreign manufacture and imported or of domestic manufacture, shall be deemed the manufacturer thereof, and shall be subject to all the taxes, liabilities, and penalties imposed by law for the sale of articles without the use of the proper stamp denoting the tax paid thereon; and all such articles of foreign manufacture shall, in addition to the import duty imposed on the same, be subject to the stamp tax prescribed in this Act: *Provided further*, That internal revenue stamps required by existing law on imported merchandise shall be affixed thereto and canceled at the expense of the owner or importer before the withdrawal of such merchandise for consumption, and the Secretary of the Treasury is authorized to make such rules and regulations as may be necessary for the affixing and canceling of such stamps, not inconsistent herewith.

**SEC. 25.** That the Commissioner of Internal Revenue shall cause to be prepared for the payment of the taxes prescribed in this Act suitable stamps denoting the tax on the document, article, or thing to which the same may be affixed, and he is authorized to prescribe such method for the cancellation of said stamps, as substitute for or in addition to the method provided in this Act, as he may deem expedient. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, is authorized to procure any of the stamps provided for in this Act by contract whenever such stamps can not be speedily prepared by the Bureau of Engraving and Printing; but this authority shall expire on the first day of July, eighteen hundred and ninety-nine. That the adhesive stamps used in the payment of the tax levied in Schedules A and B of this Act shall be furnished for sale by the several collectors of internal-revenue, who shall sell and deliver them at their face value to all persons applying for the same, except officers or employees of the internal-revenue service: *Provided*, That such collectors may sell and deliver such stamps in quantities of not less than one hundred dollars of face value, with a discount of one per centum, except as otherwise provided in this Act. And he may, with the approval of the Secretary of the Treasury, make all needful rules and regulations for the proper enforcement of this Act.

"Manufacturer" defined.

Foreign manufactures.

*Proviso.*  
Stamps on imported merchandise.

Commissioner of Internal Revenue to prepare stamps.

—to prescribe method of cancellation.

—to contract for stamps.

Sale of stamps, etc.

*Proviso.*  
—quantity.  
—discount.

Regulations.

## SCHEDULE A.

### STAMP TAXES.

Bonds, debentures, certificates of indebtedness.

Bonds, debentures, or certificates of indebtedness issued after the first day of July, anno Domini eighteen hundred and ninety-eight, by any association, company, or corporation, on each hundred dollars of face value or fraction

thereof, five cents, and on each original issue, whether on organization or reorganization, of certificates of stock by any such association, company, or corporation, on each hundred dollars of face value or fraction thereof, five cents, and on all sales, or agreements to sell, or memoranda of sales or deliveries or transfers of shares or certificates of stock in any association, company, or corporation, whether made upon or shown by the books of the association, company, or corporation, or by any assignment in blank, or by any delivery, or by any paper or agreement or memorandum or other evidence of transfer or sale whether entitling the holder in any manner to the benefit of such stock, or to secure the future payment of money or for the future transfer of any stock, on each hundred dollars of face value or fraction thereof, two cents: *Provided*, That in case of sale where the evidence of transfer is shown only by the books of the company the stamp shall be placed upon such books; and where the change of ownership is by transfer certificate the stamp shall be placed upon the certificate; and in cases of an agreement to sell or where the transfer is by delivery of the certificate assigned in blank there shall be made and delivered by the seller to the buyer a bill or memorandum of such sale, to which the stamp shall be affixed; and every bill or memorandum of sale or agreement to sell before mentioned shall show the date thereof, the name of the seller, the amount of the sale, and the matter or thing to which it refers. And any person or persons liable to pay the tax as herein provided, or anyone who acts in the matter as agent or broker for such person or persons, who shall make any such sale, or who shall in pursuance of any such sale deliver any such stock, or evidence of the sale of any such stock or bill or memorandum thereof, as herein required, without having the proper stamps affixed thereto, with intent to evade the foregoing provisions shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than five hundred nor more than one thousand dollars, or be imprisoned not more than six months, or both, at the discretion of the court.

Certificates of stock.

Proviso. Transfer of ownership, method of stamping.

Bills of sale, etc., form of, etc.

Penalty.

Upon each sale, agreement of sale, or agreement to sell, any products or merchandise at any exchange, or board of trade, or other similar place, either for present or future delivery, for each one hundred dollars in value of said sale or agreement of sale or agreement to sell, one cent, and for each additional one hundred dollars or fractional part thereof in excess of one hundred dollars, one cent: *Provided*, That on every sale or agreement of sale or agreement to sell as aforesaid there shall be made and delivered by the seller to the buyer a bill, memorandum, agreement, or other evidence of such sale, agreement of sale, or agreement to sell, to which there shall be affixed a lawful stamp or stamps in value equal to the amount of the tax on such sale. And every such bill, memorandum, or other evidence of sale or agreement to sell shall show the date thereof, the name of the seller, the amount

Sales or agreements to sell products at exchanges or boards of trade.

Proviso. Memorandum of sale.

—form of.

of the sale, and the matter or thing to which it refers; and any person or persons liable to pay the tax as herein provided, or anyone who acts in the matter as agent or broker for such person or persons, who shall make any such sale or agreement of sale, or agreement to sell, or who shall, in pursuance of any such sale, agreement of sale, or agreement to sell, deliver any such products or merchandise without a bill, memorandum, or other evidence thereof as herein required, or who shall deliver such bill, memorandum, or other evidence of sale, or agreement to sell, without having the proper stamps affixed thereto, with intent to evade the foregoing provisions, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than five hundred nor more than one thousand dollars, or be imprisoned not more than six months, or both, at the discretion of the court.

Bank checks,  
drafts, etc.

Bank check, draft, or certificate of deposit not drawing interest, or order for the payment of any sum of money, drawn upon or issued by any bank, trust company, or any person or persons, companies, or corporations at sight or on demand, two cents.

Inland bills of  
exchange,  
promissory  
notes, etc.

Bill of exchange (inland), draft, certificate of deposit drawing interest, or order for the payment of any sum of money, otherwise than at sight or on demand, or any promissory note except bank notes issued for circulation, and for each renewal of the same, for a sum not exceeding one hundred dollars, two cents; and for each additional one hundred dollars or fractional part thereof in excess of one hundred dollars, two cents. And from and after the first day of July, eighteen hundred and ninety-eight, the provisions of this paragraph shall apply as well to original domestic money orders issued by the Government of the United States, and the price of such money orders shall be increased by a sum equal to the value of the stamps herein provided for.

Money orders.

Foreign bills  
of exchange, etc.  
—drawn singly.

Bill of exchange (foreign) or letter of credit (including orders by telegraph or otherwise for the payment of money issued by express or other companies or any person or persons), drawn in but payable out of the United States, if drawn singly or otherwise than in a set of three or more, according to the custom of merchants and bankers, shall pay for a sum not exceeding one hundred dollars, four cents, and for each one hundred dollars or fractional part thereof in excess of one hundred dollars, four cents.

—drawn in two  
sets.

If drawn in sets of two or more: For every bill of each set, where the sum made payable shall not exceed one hundred dollars, or the equivalent thereof, in any foreign currency in which such bill may be expressed, according to the standard of value fixed by the United States, two cents; and for each one hundred dollars or fractional part thereof in excess of one hundred dollars, two cents.

Bills of lading.  
—exports.

Bills of lading or receipt (other than charter party) for any goods, merchandise, or effects, to be exported from a port or place in the United States to any foreign port or place, ten cents.

**Express and freight:** It shall be the duty of every railroad or steamboat company, carrier, express company, or corporation or person whose occupation is to act as such, to issue to the shipper or consignor, or his agent, or person from whom any goods are accepted for transportation, a bill of lading, manifest, or other evidence of receipt and forwarding for each shipment received for carriage and transportation, whether in bulk or in boxes, bales, packages, bundles, or not so inclosed or included; and there shall be duly attached and canceled, as is in this Act provided, to each of said bills of lading, manifests, or other memorandum, and to each duplicate thereof, a stamp of the value of one cent: *Provided*, That but one bill of lading shall be required on bundles or packages of newspapers when inclosed in one general bundle at the time of shipment. Any failure to issue such bill of lading, manifest, or other memorandum, as herein provided, shall subject such railroad or steamboat company, carrier, express company, or corporation or person to a penalty of fifty dollars for each offense, and no such bill of lading, manifest, or other memorandum shall be used in evidence unless it shall be duly stamped as aforesaid.

Express and freight.  
—stamp tax on bill of lading.

*Proviso.*  
Bundles of newspapers.

Penalty.

**Telephone messages:** It shall be the duty of every person, firm, or corporation owning or operating any telephone line or lines to make within the first fifteen days of each month a sworn statement to the collector of internal revenue in each of their respective districts, stating the number of messages or conversations transmitted over their respective lines during the preceding month for which a charge of fifteen cents or more was imposed, and for each of such messages or conversations the said person, firm, or corporation shall pay a tax of one cent: *Provided*, That only one payment of said tax shall be required, notwithstanding the lines of one or more persons, firms, or corporations shall be used for the transmission of each of said messages or conversations.

Telephone messages.

*Proviso.*  
Limit.

**Bond:** For indemnifying any person or persons, firm, or corporation who shall have become bound or engaged as surety for the payment of any sum of money, or for the due execution or performance of the duties of any office or position, and to account for money received by virtue thereof, and all other bonds of any description, except such as may be required in legal proceedings, not otherwise provided for in this schedule, fifty cents.

Bond.

**Certificate of profits, or any certificate or memorandum** showing an interest in the property or accumulations of any association, company, or corporation, and on all transfers thereof, on each one hundred dollars of face value or fraction thereof, two cents.

Certificate of profits, etc.

**Certificate:** Any certificate of damage, or otherwise, and all other certificates or documents issued by any port warden, marine surveyor, or other person acting as such, twenty-five cents.

Certificate of damage, etc.

**Certificate of any description required by law not otherwise specified in this Act,** ten cents.

Certificates not specified.

**Charter party:** Contract or agreement for the charter

Charter party.



of any ship, or vessel, or steamer, or any letter, memorandum, or other writing between the captain, master, or owner, or person acting as agent of any ship, or vessel, or steamer, and any other person or persons, for or relating to the charter of such ship, or vessel, or steamer, or any renewal or transfer thereof, if the registered tonnage of such ship, or vessel, or steamer does not exceed three hundred tons, three dollars.

Exceeding three hundred tons and not exceeding six hundred tons, five dollars.

Exceeding six hundred tons, ten dollars.

Contract.

Contract: Broker's note, or memorandum of sale of any goods or merchandise, stocks, bonds, exchange, notes of hand, real estate, or property of any kind or description issued by brokers or persons acting as such, for each note or memorandum of sale, not otherwise provided for in this Act, ten cents.

Conveyance.

Conveyance: Deed, instrument, or writing, whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser or purchasers, or any other person or persons, by his, her, or their direction, when the consideration or value exceeds one hundred dollars and does not exceed five hundred dollars, fifty cents; and for each additional five hundred dollars or fractional part thereof in excess of five hundred dollars, fifty cents.

Dispatch, telegraphic.

Dispatch, telegraphic: Any dispatch or message, one cent.

Entry of goods at custom-house.

Entry of any goods, wares, or merchandise at any custom-house, either for consumption or warehousing, not exceeding one hundred dollars in value, twenty-five cents.

Exceeding one hundred dollars and not exceeding five hundred dollars in value, fifty cents.

Exceeding five hundred dollars in value, one dollar.

—withdrawal.

Entry for the withdrawal of any goods or merchandise from customs bonded warehouse, fifty cents.

Life insurance.

Insurance (life): Policy of insurance, or other instrument, by whatever name the same shall be called, whereby any insurance shall hereafter be made upon any life or lives, for each one hundred dollars or fractional part thereof, eight cents on the amount insured: *Provided*,

*Provided*.  
—issued on industrial or weekly-payment plan, tax, etc.

That on all policies, for life insurance only, issued on the industrial or weekly-payment plan of insurance, the tax shall be forty per centum of the amount of the first weekly premium. And it shall be the duty of each person, firm, or corporation issuing such policies to make within the first fifteen days of every month a sworn statement to the collector of internal revenue in each of their respective districts, of the total amount of first weekly premiums received on such policies issued by the said person, firm, or corporation during the preceding month, and upon the total amount so received, the said person, firm, or corporation shall pay the said tax of forty per centum: *Provided*

Exemptions.

*further*, That the provisions of this section shall not apply to any fraternal, beneficiary society, or order, or farmers' purely local cooperative company or association, or em-



ployees' relief associations operated on the lodge system, or local cooperation plan, organized and conducted solely by the members thereof for the exclusive benefit of its members and not for profit.

Insurance (marine, inland, fire,): Each policy of insurance or other instrument, by whatever name the same shall be called, by which insurance shall be made or renewed upon property of any description (including rents or profits), whether against peril by sea or on inland waters, or by fire or lightning, or other peril, made by any person, association, or corporation, upon the amount of premium charged, one-half of one cent on each dollar or fractional part thereof: *Provided*, That purely cooperative or mutual fire insurance companies carried on by the members thereof solely for the protection of their own property and not for profit shall be exempted from the tax herein provided.

Marine, inland, and fire insurance.

*Proviso.*  
Exemption.

Insurance (casualty, fidelity, and guarantee): Each policy of insurance, or bond or obligation of the nature of indemnity for loss, damage, or liability issued, or executed, or renewed by any person, association, company, or corporation, transacting the business of accident, fidelity, employer's liability, plate glass, steam boiler, burglary, elevator, automatic sprinkler, or other branch of insurance (except life, marine, inland, and fire insurance), and each bond undertaking or recognizance, conditioned for the performance of the duties of any office or position, or for the doing or not doing of anything therein specified, or other obligation of the nature of indemnity, and each contract or obligation guaranteeing the validity or legality of bonds or other obligations issued by any State, county, municipal, or other public body or organization, or guaranteeing titles to real estate or mercantile credits executed or guaranteed by any fidelity, guarantee, or surety company upon the amount of premium charged, one-half of one cent on each dollar or fractional part thereof.

Casualty, fidelity, etc., insurance.

Lease, agreement, memorandum, or contract for the hire, use, or rent of any land, tenement, or portion thereof—

Leases, etc.

If for a period of time not exceeding one year, twenty-five cents.

If for a period of time exceeding one year and not exceeding three years, fifty cents.

If for a period exceeding three years, one dollar.

Manifest for custom-house entry or clearance of the cargo of any ship, vessel, or steamer for a foreign port—

Manifest for custom-house entry.

If the registered tonnage of such ship, vessel, or steamer does not exceed three hundred tons, one dollar.

Exceeding three hundred tons, and not exceeding six hundred tons, three dollars.

Exceeding six hundred tons, five dollars.

Mortgage or pledge, of lands, estate, or property, real or personal, heritable, or movable, whatsoever, where the same shall be made as a security for the payment of any definite and certain sum of money, lent at the time or previously due and owing or forborne to be paid, being

Mortgages, etc.

payable; also any conveyance of any lands, estate, or property whatsoever, in trust to be sold or otherwise converted into money, which shall be intended only as security, either by express stipulation or otherwise; on any of the foregoing exceeding one thousand dollars and not exceeding one thousand five hundred dollars, twenty-five cents; and on each five hundred dollars or fractional part thereof in excess of fifteen hundred dollars, twenty-five cents: *Provided*, That upon each and every assignment or transfer of a mortgage, lease, or policy of insurance, or the renewal or continuance of any agreement, contract, or charter, by letter or otherwise, a stamp duty shall be required and paid at the same rate as that imposed on the original instrument.

*Proviso.*  
Tax on transfers of leases, etc.

Passage tickets to foreign ports.

Passage ticket, by any vessel from a port in the United States to a foreign port, if costing not exceeding thirty dollars, one dollar.

Costing more than thirty and not exceeding sixty dollars, three dollars.

Costing more than sixty dollars, five dollars.

Powers of attorney.  
—to vote at corporation elections.

Power of attorney or proxy for voting at any election for officers of any incorporated company or association, except religious, charitable, or literary societies, or public cemeteries, ten cents.

—to sell, lease, etc., real estate, stock, etc.

Power of attorney to sell and convey real estate, or to rent or lease the same, to receive or collect rent, to sell or transfer any stock, bonds, scrip, or for the collection of any dividends or interest thereon, or to perform any and all other acts not hereinbefore specified, twenty-five cents:

*Proviso.*  
Papers for collecting pensions, bounty, etc., exempt from taxes.

*Provided*, That no stamps shall be required upon any papers necessary to be used for the collection of claims from the United States for pensions, back pay, bounty, or for property lost in the military or naval service.

Protest.

Protest: Upon the protest of every note, bill of exchange, acceptance, check or draft, or any marine protest, whether protested by a notary public or by any other officer who may be authorized by the law of any State or States to make such protest, twenty-five cents.

Warehouse receipts.

Warehouse receipt for any goods, merchandise, or property of any kind held on storage in any public or private warehouse or yard, except receipts for agricultural products deposited by the actual grower thereof in the regular course of trade for sale, twenty-five cents: *Provided*, That

*Proviso.*  
Exemption from tax of steamers for British North American ports.

the stamp duties imposed by the foregoing schedule on manifests, bills of lading, and passage tickets shall not apply to steamboats or other vessels plying between ports of the United States and ports in British North America.

## SCHEDULE B.

Medicinal proprietary articles, etc.

Medicinal proprietary articles and preparations: For and upon every packet, box, bottle, pot, or phial, or other inclosure, containing any pills, powders, tinctures, troches or lozenges, sirups, cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, (except natural spring waters and carbonated natu-

ral spring waters), essences, spirits, oils, and all medicinal preparations or compositions whatsoever, made and sold, or removed for sale, by any person or persons whatever, wherein the person making or preparing the same has or claims to have any private formula, secret, or occult art for the making or preparing the same, or has or claims to have any exclusive right or title to the making or preparing the same, or which are prepared, uttered, vended, or exposed for sale under any letters patent, or trade-mark, or which, if prepared by any formula, published or unpublished, are held out or recommended to the public by the makers, venders, or proprietors thereof as proprietary medicines, or medicinal proprietary articles or preparations, or as remedies or specifics for any disease, diseases, or affection whatever affecting the human or animal body, as follows: Where such packet, box, bottle, pot, phial, or other inclosure, with its contents, shall not exceed, at the retail price or value, the sum of five cents, one-eighth of one cent. —costing not more than five cents.

Where such packet, box, bottle, pot, phial, or other inclosure, with its contents, shall exceed the retail price or value of five cents and shall not exceed, at the retail price or value, the sum of ten cents, two-eighths of one cent. —ten cents.

Where such packet, box, bottle, pot, phial, or other inclosure, with its contents, shall exceed the retail price or value of ten cents and shall not exceed at the retail price or value the sum of fifteen cents, three-eighths of one cent. —fifteen cents.

Where each packet, box, bottle, pot, phial, or other inclosure, with its contents, shall exceed the retail price or value of fifteen cents and shall not exceed the retail price or value of twenty-five cents, five-eighths of one cent. —twenty-five cents. And for each additional twenty-five cents of retail price or value or fractional part thereof in excess of twenty-five cents, five-eighths of one cent. —exceeding twenty-five cents.

Perfumery and cosmetics and other similar articles: For and upon every packet, box, bottle, pot, phial, or other inclosure containing any essence, extract, toilet water, cosmetic, vaseline, petrolatum, hair oil, pomade, hair dressing, hair restorative, hair dye, tooth wash, dentifrice, tooth paste, aromatic cachous, or any similar substance or article, by whatsoever name the same heretofore have been, now are, or may hereafter be called, known, or distinguished, used or applied, or to be used or applied as perfumes or as applications to the hair, mouth, or skin, or otherwise used, made, prepared, and sold or removed for consumption and sale in the United States, where such packet, box, bottle, pot, phial, or other inclosure, with its contents, shall not exceed at the retail price or value the sum of five cents, one-eighth of one cent. Perfumery, cosmetics, etc.

Where such packet, box, bottle, pot, phial, or other inclosure, with its contents, shall exceed the retail price or value of five cents, and shall not exceed the retail price or value of ten cents, two-eighths of one cent. —ten cents.

Where such packet, box, bottle, pot, phial, or other inclosure, with its contents, shall exceed the retail price or —fifteen cents.

value of ten cents and shall not exceed the retail price or value of fifteen cents, three-eighths of one cent.

—twenty-five cents.

Where such packet, box, bottle, pot, phial, or other inclosure, with its contents, shall exceed the retail price or value of fifteen cents and shall not exceed the retail price or value of twenty-five cents, five-eighths of one cent.

—exceeding twenty-five cents.

And for each additional twenty-five cents of retail price or value or fractional part thereof in excess of twenty-five cents, five-eighths of one cent.

Chewing gum, etc.

Chewing gum or substitutes therefor: For and upon each box, carton, jar, or other package containing chewing gum of not more than one dollar of actual retail value, four cents; if exceeding one dollar of retail value, for each additional dollar or fractional part thereof, four cents; under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

Wines.

Sparkling or other wines, when bottled for sale, upon each bottle containing one pint or less, one cent.

Upon each bottle containing more than one pint, two cents.

Stamps on articles in hand when tax attaches.

—dealer who is not the manufacturer may stamp on sale.

That all articles and preparations provided for in this schedule which are in the hands of manufacturers or of wholesale or retail dealers on the first day of July, eighteen hundred and ninety-eight, shall be subject to the payment of the stamp taxes herein provided for, but it shall be deemed a compliance with this Act as to such articles on hand in the hands of wholesale or retail dealers as aforesaid who are not the manufacturers thereof to affix the proper adhesive tax stamp at the time the packet, box, bottle, pot, or phial, or other inclosure with its contents is sold at retail.

Allowance of drawback on articles having paid internal-revenue tax.

SEC. 26. There shall be an allowance of drawback on articles mentioned in Schedule B of this Act on which any internal-revenue tax shall have been paid, equal in amount to the stamp tax paid thereon, and no more, when exported, to be paid by the warrant of the Secretary of the Treasury on the Treasurer of the United States, out of any money arising from internal taxes not otherwise appropriated: *Provided*, That no allowance of drawback shall be made for any such articles exported prior to July first, eighteen hundred and ninety-eight. The evidence that any such tax has been paid as aforesaid shall be furnished to the satisfaction of the Commissioner of Internal Revenue by the person claiming the allowance of drawback, and the amount shall be ascertained under such regulations as shall be prescribed from time to time by said Commissioner, with the approval of the Secretary of the Treasury.

*Proviso.*  
Not applicable to articles exported prior to July 1, 1898.  
Evidence of payment of tax.

#### EXCISE TAXES ON PERSONS, FIRMS, COMPANIES, AND CORPORATIONS ENGAGED IN REFINING PETROLEUM AND SUGAR.

Tax on corporations, etc., refining sugar or petroleum.

SEC. 27. That every person, firm, corporation, or company carrying on or doing the business of refining petroleum, or refining sugar, or owning or controlling any pipe

line for transporting oil or other products, whose gross annual receipts exceed two hundred and fifty thousand dollars, shall be subject to pay annually a special excise tax equivalent to one-quarter of one per centum on the gross amount of all receipts of such persons, firms, corporations, and companies in their respective business in excess of said sum of two hundred and fifty thousand dollars.

And a true and accurate return of the amount of gross receipts as aforesaid shall be made and rendered monthly by each of such associations, corporations, companies, or persons to the collector of the district in which any such association, corporation, or company may be located, or in which such person has his place of business. Such return shall be verified under oath by the person making the same, or, in case of corporations, by the president or chief officer thereof. Any person or officer failing or refusing to make return as aforesaid, or who shall make a false or fraudulent return, shall be liable to a penalty of not less than one thousand dollars and not exceeding ten thousand dollars for each failure or refusal to make return as aforesaid and for each and every false or fraudulent return.

Monthly return as to gross receipts.

—verification of.

—penalty for failure to make return.

SEC. 28. That from and after the first day of July, eighteen hundred and ninety-eight, a stamp tax of one cent shall be levied and collected on every seat sold in a palace or parlor car and on every berth sold in a sleeping car, the stamp to be affixed to the ticket and paid by the company issuing the same.

Tax on parlor-car seats, etc.

#### LEGACIES AND DISTRIBUTIVE SHARES OF PERSONAL PROPERTY.

SEC. 29. That any person or persons having in charge or trust, as administrators, executors, or trustees, any legacies or distributive shares arising from personal property, where the whole amount of such personal property as aforesaid shall exceed the sum of ten thousand dollars in actual value, passing, after the passage of this Act, from any person possessed of such property, either by will or by the intestate laws of any State or Territory, or any personal property or interest therein, transferred by deed, grant, bargain, sale, or gift, made or intended to take effect in possession or enjoyment after the death of the grantor or bargainer, to any person or persons, or to any body or bodies, politic or corporate, in trust or otherwise, shall be, and hereby are, made subject to a duty or tax, to be paid to the United States, as follows—that is to say: Where the whole amount of said personal property shall exceed in value ten thousand and shall not exceed in value the sum of twenty-five thousand dollars the tax shall be:

Legacies and distributive shares personal property.

Personal estate not exceeding \$25,000.

First. Where the person or persons entitled to any beneficial interest in such property shall be the lineal issue or lineal ancestor, brother, or sister to the person who died possessed of such property, as aforesaid, at the rate of seventy five cents for each and every hundred dollars of the clear value of such interest in such property.

—tax on lineal issue, brother, etc.



—descendant of  
brother, etc.

Second. Where the person or persons entitled to any beneficial interest in such property shall be the descendant of a brother or sister of the person who died possessed, as aforesaid, at the rate of one dollar and fifty cents for each and every hundred dollars of the clear value of such interest.

—uncle, etc.

Third. Where the person or persons entitled to any beneficial interest in such property shall be the brother or sister of the father or mother, or a descendant of a brother or sister of the father or mother, of the person who died possessed as aforesaid, at the rate of three dollars for each and every hundred dollars of the clear value of such interest.

—brother, etc.,  
of grandfather,  
etc.

Fourth. Where the person or persons entitled to any beneficial interest in such property shall be the brother or sister of the grandfather or grandmother, or a descendant of the brother or sister of the grandfather or grandmother, of the person who died possessed as aforesaid, at the rate of four dollars for each and every hundred dollars of the clear value of such interest.

—other degrees  
of relationship.

Fifth. Where the person or persons entitled to any beneficial interest in such property shall be in any other degree of collateral consanguinity than is hereinbefore stated, or shall be a stranger in blood to the person who died possessed, as aforesaid, or shall be a body politic or corporate, at the rate of five dollars for each and every hundred dollars of the clear value of such interest: *Provided*, That all legacies or property passing by will, or by the laws of any State or Territory, to husband or wife of the person died possessed, as aforesaid, shall be exempt from tax or duty.

*Proviso.*  
Exemptions.

Personal estate not exceeding \$100,000.

Where the amount or value of said property shall exceed the sum of twenty five thousand dollars, but shall not exceed the sum or value of one hundred thousand dollars, the rates of duty or tax above set forth shall be multiplied by one and one-half; and where the amount or value of said property shall exceed the sum of one hundred thousand dollars, but shall not exceed the sum of five hundred thousand dollars, such rates of duty shall be multiplied by two; and where the amount or value of said property shall exceed the sum of five hundred thousand dollars, but shall not exceed the sum of one million dollars, such rates of duty shall be multiplied by two and one-half; and where the amount or value of said property shall exceed the sum of one million dollars, such rates of duty shall be multiplied by three.

—\$500,000.

—\$1,000,000.

—exceeding \$1,000,000.

Tax to be a  
lien, etc.

SEC. 30. That the tax or duty aforesaid shall be a lien and charge upon the property of every person who may die as aforesaid for twenty years, or until the same shall, within that period, be fully paid to and discharged by the United States; and every executor, administrator, or trustee, before payment and distribution to the legatees, or any parties entitled to beneficial interest therein, shall pay to the collector or deputy collector of the district of which the deceased person was a resident the amount of the duty or tax assessed upon such legacy or distributive

—payment of.



share, and shall also make and render to the said collector or deputy collector a schedule, list, or statement, in duplicate, of the amount of such legacy or distributive share, together with the amount of duty which has accrued, or shall accrue, thereon, verified by his oath or affirmation, to be administered and certified thereon by some magistrate or officer having lawful power to administer such oaths, in such form and manner as may be prescribed by the Commissioner of Internal Revenue, which schedule, list, or statement shall contain the names of each and every person entitled to any beneficial interest therein, together with the clear value of such interest, the duplicate of which schedule, list, or statement shall be by him immediately delivered, and the tax thereon paid to such collector; and upon such payment and delivery of such schedule, list, or statement said collector or deputy collector shall grant to such person paying such duty or tax a receipt or receipts for the same in duplicate, which shall be prepared as hereinafter provided. Such receipt or receipts, duly signed and delivered by such collector or deputy collector, shall be sufficient evidence to entitle such executor, administrator, or trustee to be credited and allowed such payment by every tribunal which, by the laws of any State or Territory, is, or may be, empowered to decide upon and settle the accounts of executors and administrators. And in case such executor, administrator, or trustee shall refuse or neglect to pay the aforesaid duty or tax to the collector or deputy collector, as aforesaid, within the time hereinbefore provided, or shall neglect or refuse to deliver to said collector or deputy collector the duplicate of the schedule, list, or statement of such legacies, property, or personal estate, under oath, as aforesaid, or shall neglect or refuse to deliver the schedule, list, or statement of such legacies, property, or personal estate, under oath, as aforesaid, or shall deliver to said collector or deputy collector a false schedule or statement of such legacies, property, or personal estate, or give the names and relationship of the persons entitled to beneficial interests therein untruly, or shall not truly and correctly set forth and state therein the clear value of such beneficial interest, or where no administration upon such property or personal estate shall have been granted or allowed under existing laws, the collector or deputy collector shall make out such lists and valuation as in other cases of neglect or refusal, and shall assess the duty thereon; and the collector shall commence appropriate proceedings before any court of the United States, in the name of the United States, against such person or persons as may have the actual or constructive custody or possession of such property or personal estate, or any part thereof, and shall subject such property or personal estate, or any portion of the same, to be sold upon the judgment or decree of such court, and from the proceeds of such sale the amount of such tax or duty, together with all costs and expenses of every description to be allowed by such court, shall be first paid, and the balance, if any, deposited according to

Schedules,  
etc.

Receipt for  
payment.

—force of.

Neglect to pay  
tax, etc.

—legal proceed-  
ings to recover.

—force of judgment deed.

Penalty for refusal, etc., to exhibit papers, etc.

Proviso.  
Recital of deed, force of.

Acts made applicable.

the order of such court, to be paid under its direction to such person or persons as shall establish title to the same. The deed or deeds, or any proper conveyance of such property or personal estate, or any portion thereof, so sold under such judgment or decree, executed by the officer lawfully charged with carrying the same into effect, shall vest in the purchaser thereof all the title of the delinquent to the property or personal estate sold under and by virtue of such judgment or decree, and shall release every other portion of such property or personal estate from the lien or charge thereon created by this Act. And every person or persons who shall have in his possession, charge, or custody any record, file, or paper containing, or supposed to contain, any information concerning such property or personal estate, as aforesaid, passing from any person who may die, as aforesaid, shall exhibit the same at the request of the collector or deputy collector of the district, and to any law officer of the United States, in the performance of his duty under this Act, his deputy or agent, who may desire to examine the same. And if any such person, having in his possession, charge, or custody any such records, files, or papers, shall refuse or neglect to exhibit the same on request, as aforesaid, he shall forfeit and pay the sum of five hundred dollars: *Provided*, That in all legal controversies where such deed or title shall be the subject of judicial investigation, the recital in said deed shall be prima facie evidence of its truth, and that the requirements of the law had been complied with by the officers of the Government.

SEC. 31. That all administrative, special, or stamp provisions of law, including the laws in relation to the assessment of taxes, not heretofore specifically repealed are hereby made applicable to this Act.

#### LOANS.

Issue of certificates of indebtedness authorized.

Proviso.  
—limit.

Counterfeiting.

Issue of bonds to secure loan authorized.

SEC. 32. That the Secretary of the Treasury is authorized to borrow from time to time, at a rate of interest not exceeding three per centum per annum, such sum or sums as, in his judgment, may be necessary to meet public expenditures, and to issue therefor certificates of indebtedness in such form as he may prescribe and in denominations of fifty dollars or some multiple of that sum; and each certificate so issued shall be payable, with the interest accrued thereon, at such time, not exceeding one year from the date of its issue, as the Secretary of the Treasury may prescribe: *Provided*, That the amount of such certificates outstanding shall at no time exceed one hundred millions of dollars; and the provisions of existing law respecting counterfeiting and other fraudulent practices are hereby extended to the bonds and certificates of indebtedness authorized by this Act.

SEC. 33. That the Secretary of the Treasury is hereby authorized to borrow on the credit of the United States from time to time as the proceeds may be required to defray expenditures authorized on account of the existing

war (such proceeds when received to be used only for the purpose of meeting such war expenditures) the sum of four hundred million dollars, or so much thereof as may be necessary, and to prepare and issue therefor, coupon or registered bonds of the United States in such form as he may prescribe, and in denominations of twenty dollars or some multiple of that sum, redeemable in coin at the pleasure of the United States after ten years from the date of their issue, and payable twenty years from such date, and bearing interest payable quarterly in coin at the rate of three per centum per annum; and the bonds herein authorized shall be exempt from all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority: *Provided*, That the bonds authorized by this section shall be first offered at par as a popular loan under such regulations, prescribed by the Secretary of the Treasury, as will give opportunity to the citizens of the United States to participate in the subscriptions to such loan, and in allotting said bonds the several subscriptions of individuals shall be first accepted, and the subscriptions for the lowest amounts shall be first allotted: *Provided further*, That any portion of any issue of said bonds not subscribed for as above provided may be disposed of by the Secretary of the Treasury at not less than par, under such regulations as he may prescribe, but no commissions shall be allowed or paid thereon; and a sum not exceeding one-tenth of one per centum of the amount of the bonds and certificates herein authorized is hereby appropriated out of any money in the Treasury not otherwise appropriated, to pay the expense of preparing, advertising, and issuing the same.

—denominations, etc.

*Provisos.*  
Popular loan.

Disposition of bonds not subscribed for.

Expenses.

#### COINAGE OF SILVER BULLION.

SEC. 34. That the Secretary of the Treasury is hereby authorized and directed to coin into standard silver dollars as rapidly as the public interests may require, to an amount, however, of not less than one and one half millions of dollars in each month, all of the silver bullion now in the Treasury purchased in accordance with the provisions of the Act approved July fourteenth, eighteen hundred and ninety, entitled "An Act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes," and said dollars, when so coined, shall be used and applied in the manner and for the purposes named in said Act.

Coinage of silver bullion authorized.

#### MIXED FLOUR.

SEC. 35. That for the purposes of this Act the words "mixed flour" shall be understood to mean the food product made from wheat mixed or blended in whole or in part with any other grain or other material, or the manufactured product of any other grain or other material than wheat.

—definition.

SEC. 36. That every person, firm, or corporation, before engaging in the business of making, packing, or repack-

Manufacturers and packers' tax.

R.S., secs. 3242,  
3239, pp. 622, 621.

Branding of  
packages.

Card showing  
contents to be  
inserted in  
package.

—penalty.

Penalty for  
sale in unbrand-  
ed packages,  
etc.

—false brand-  
ing, etc.

Label to be  
affixed to pack-  
ages.

—failure to af-  
fix, penalty.

ing mixed flour, shall pay a special tax at the rate of twelve dollars per annum, the same to be paid and posted in accordance with the provisions of sections thirty-two hundred and forty-two and thirty-two hundred and thirty-nine of the Revised Statutes, and subject to the fines and penalties therein imposed for any violation thereof.

SEC. 37. That every person, firm, or corporation making, packing, or repacking mixed flour shall plainly mark or brand each package containing the same with the words "mixed flour" in plain black letters not less than two inches in length, together with the true weight of such package, the names of the ingredients composing the same, the name of the maker or packer, and the place where made or packed. In addition thereto, such maker or packer shall place in each package a card not smaller than two inches in width by three inches in length, upon which shall be printed the words "mixed flour," together with the names of the ingredients composing the same, and the name of the maker or packer, and the place where made or packed. Any person, firm, or corporation making, packing, or repacking mixed flour hereunder, failing to comply with the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than two hundred and fifty dollars and not more than five hundred dollars, or be imprisoned not less than sixty days nor more than one year.

SEC. 38. That all sales and consignments of mixed flour shall be in packages not before used for that purpose; and every person, firm, or corporation knowingly selling or offering for sale any mixed flour in other than marked and branded packages, as required by the provisions of this Act relating to the manufacture and sale of mixed flour, or who packs in any package or packages any mixed flour in any manner contrary to the provisions relating to the manufacture and sale of mixed flour of this Act, or who falsely marks or brands any package or packages containing mixed flour, or unlawfully removes such marks or brands, shall, for each such offense, be punished by a fine of not less than two hundred and fifty dollars and not more than five hundred dollars, or by imprisonment not less than thirty days nor more than one year.

SEC. 39. That in addition to the branding and marking of mixed flour as herein provided, there shall be affixed to the packages containing the same a label in the following words: "Notice.—The (manufacturer or packer, as the case may be) of the mixed flour herein contained has complied with all the requirements of law. Every person is cautioned not to use this package or label again or to remove the contents without destroying the revenue stamp thereon, under the penalty prescribed by law in such cases." Every person, firm, or corporation failing or neglecting to affix such label to any package containing mixed flour made or packed by him or them, or who removes from any such package any label so affixed, shall, upon conviction thereof, be fined not less than fifty dollars for each label so removed.

SEC. 40. That barrels or other packages in which mixed flour may be packed shall contain not to exceed one hundred and ninety-six pounds; that upon the manufacture and sale of mixed flour there shall be levied a tax of four cents per barrel or other package containing one hundred and ninety-six pounds or more than ninety-eight pounds; two cents on every half barrel or other package containing ninety-eight pounds or more than forty-nine pounds; one cent on every quarter barrel or other package containing forty-nine pounds or more than twenty-four and one-half pounds; and one-half cent on every one-eighth barrel or other package containing twenty-four and a half pounds or less, to be paid by the person, firm, or corporation making or packing said flour. The tax levied by this section shall be represented by coupon stamps, and the provisions of existing laws governing the engraving, issue, sale, accountability, effacement, and destruction of stamps relating to tobacco and snuff shall, so far as applicable, be made to apply to stamps provided in this section: *Provided*, That when mixed flour, on the manufacture and sale of which the tax herein imposed has been paid, is sold and then repacked without the addition of any other material, such repacked flour shall not be liable to any additional tax; but the packages containing such repacked flour shall be branded or marked as required by the provisions of section thirty-seven of this Act, and shall contain the card provided for in section thirty-seven hereof; and in addition thereto the person, firm, or corporation repacking mixed flour shall place on the packages containing the same a label in the following words: "Notice.—The contents of this package have been taken from a regular statutory package, upon which the tax has been duly paid." Any person violating the provisions of this section shall, upon conviction thereof, be punished by a fine of not less than two hundred and fifty dollars and not more than five hundred dollars, or by imprisonment not to exceed one year.

Contents of packages limited. —tax on.

—stamps.

*Proviso.*  
Repacked flour. —no additional tax.

—branding of packages, etc.

SEC. 41. That whenever any person, firm, or corporation sells, consigns, or removes for sale, consignment, or consumption any mixed flour upon which the tax required by this Act has not been paid, it shall be the duty of the Commissioner of Internal Revenue, for a period of not more than one year after such sale, consignment, or removal, upon satisfactory proof, to estimate the amount of tax which should have been paid, and to make an assessment therefor and certify the same to the collector of the proper district. The tax so assessed shall be in addition to the penalties imposed by this Act for an unauthorized sale or removal.

Sale or removal of goods without paying tax.

—assessment of tax.

SEC. 42. That all mixed flours, imported from foreign countries, shall, in addition to any import duties imposed thereon, pay an internal-revenue tax equal in amount to the tax imposed under section forty of this Act, such tax to be represented by coupon stamps, and the packages containing such imported mixed flour shall be marked, branded, labeled, and stamped as in the case of mixed flour made or

Imported flour, tax on.



**Penalty for receiving unbranded, etc.** packed in the United States. Any person, firm, or corporation purchasing or receiving for sale or repacking any such mixed flour which has not been branded, labeled, or stamped, as required by this Act, or which is contained in packages which have not been marked, branded, labeled, or stamped, as required by this Act, shall, upon conviction, be fined not less than fifty dollars nor more than five hundred dollars.

**Penalty for knowingly purchasing flour unstamped, etc.** SEC. 43. That any person, firm, or corporation knowingly purchasing or receiving for sale or for repacking and resale any mixed flour from any maker, packer, or importer, who has not paid the tax herein provided, shall, for each offense, be fined not less than fifty dollars, and forfeit to the United States all the articles so purchased or received, or the full value thereof.

**Flour for export not taxed.** SEC. 44. That mixed flour may be removed from the place of manufacture or from the place where packed for export to a foreign country without payment of tax or affixing stamps or label thereto, under such regulation and the filing of such bond and other security as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe. Every person, firm, or corporation who shall export mixed flour shall plainly mark on each package containing the same the words "mixed flour," and the names of the ingredients composing the same, the name of the maker or packer, and the place where made or packed, in accordance with the provisions of sections thirty-six to forty-five, inclusive, of this Act.

**—branding.**

**Destruction of stamp on empty packages.** SEC. 45. That whenever any package containing mixed flour is emptied it shall be the duty of the person in whose possession it is to destroy the stamp thereon. Any person disposing of such package without first having destroyed the stamp or mark or marks thereon shall, upon conviction, be punished by a fine not exceeding the sum of twenty-five dollars.

**Recovery of fines, etc.** SEC. 46. That all fines, penalties, and forfeitures imposed by section thirty-six to section forty-five, both inclusive, of this Act may be recovered in any court of competent jurisdiction.

**Regulations.** SEC. 47. That the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make all needful rules and regulations for carrying into effect the provisions relating to the manufacture and sale of mixed flour, being section thirty-five to section forty-nine, both inclusive, of this Act, and the said Commissioner of Internal Revenue, by and with the approval of the Secretary of the Treasury, for the purpose of carrying said last-mentioned provisions of this Act into effect, is hereby authorized to employ such additional clerks and agents as may be necessary for that purpose, not to exceed twenty in number.

**Additional clerks, etc.**

**Penalty for second, etc., violation.** SEC. 48. That any person, firm, or corporation found guilty of a second or any subsequent violation of any of the provisions of section thirty-six to section forty-five, both inclusive, relating to the manufacture and sale of



mixed flour as aforesaid, of this Act shall, in addition to the penalties herein imposed, be imprisoned not less than thirty days nor more than ninety days.

SEC. 49. That the provisions of this Act relating to the manufacture and sale of mixed flour shall take effect and be in force sixty days from and after the date of the passage of this Act; and all packages of mixed flour found on the premises of any person, firm, or corporation on said day, who has made, packed, or repacked the same, on which the tax herein authorized has not been paid, shall be deemed taxable under the provisions of section thirty-six to section forty-five, both inclusive, of this Act, and shall be taxed and have affixed thereon such marks, brands, labels, and stamps as required by the provisions of said sections or by the rules and regulations prescribed by the Commissioner of Internal Revenue, under authority of this Act.

To take effect, etc.

TEA.

Tea.

SEC. 50. That there shall be levied, collected, and paid upon tea when imported from foreign countries a duty of ten cents per pound.

—tax on.

SEC. 51. That this Act shall take effect on the day next succeeding the date of its passage except as otherwise specially provided for.

Act to take effect, etc.

### *Fifty-fifth Congress, third session.*

[No. 23.] Joint Resolution To amend section twenty-five of the Act passed June thirteenth, eighteen hundred and ninety-eight, entitled "An Act to provide ways and means to meet war expenditures, and for other purposes."

February 28, 1899.

[Pub. Res., No. 22.]

30 Stats. L., p. 1390.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act passed June thirteenth, eighteen hundred and ninety-eight, entitled "An Act to provide ways and means to meet war expenditures, and for other purposes," be amended by adding to the end of Schedule A, section twenty-five, the following: "Whenever any bond or note shall be secured by a mortgage, or deed of trust but one stamp shall be required to be placed upon such papers: Provided, That the stamp tax placed thereon shall be the highest rate required for said instruments, or either of them."*

Taxes to meet war expenditures.

Laws, 2d sess. 55th Cong., p. 462, amended.

Bonds secured by mortgages, but one stamp required, etc.

Proviso. —maximum rate.

### *Fifty-sixth Congress, second session.*

CHAP. 806.—An Act To amend an Act entitled "An Act to provide ways and means to meet war expenditures, and for other purposes," approved June thirteenth, eighteen hundred and ninety-eight, and to reduce taxation thereunder.

March 2, 1901.

[Public, No. 121.] 31 Stats. L., p. 938.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of the Act entitled "An Act to provide ways and means to meet war expenditures, and for other purposes," be amended by adding to the end of the said section the following: "Whenever any bond or note shall be secured by a mortgage, or deed of trust but one stamp shall be required to be placed upon such papers: Provided, That the stamp tax placed thereon shall be the highest rate required for said instruments, or either of them."*

Reduction of taxes to meet expenditures war with Spain. Vol. 30, p. 448, amended.

poses," approved June thirteenth, eighteen hundred and ninety-eight, is hereby amended so as to read as follows:

Reduction on  
fermented  
liquors.

R. S., sec. 3339,  
p. 581, amended.

Proviso.  
Cancellation  
of existing  
stamps.

"That there shall be paid, in lieu of the tax of one dollar now imposed by law, a tax of one dollar and sixty cents on all beer, lager beer, ale, porter, and other similar fermented liquors, brewed or manufactured and sold, or stored in warehouse, or removed for consumption or sale, within the United States, by whatever name such liquors may be called, for every barrel containing not more than thirty-one gallons; and at a like rate for any other quantity or for the fractional parts of a barrel authorized and defined by law. And section thirty-three hundred and thirty-nine of the Revised Statutes is hereby amended accordingly: *Provided*, That in lieu of or in addition to the present requirements of law in that respect, all stamps used for denoting the tax upon fermented liquors or other taxes may, in the discretion of the Commissioner of Internal Revenue, be canceled by perforations to be made in such manner and form as the Commissioner may by regulations prescribe."

Special taxes.

SEC. 2. That section two of said Act is hereby amended so as to read as follows:

"SEC. 2. That special taxes shall be, and hereby are, imposed annually as follows, that is to say:

On bankers.

"One. Bankers using or employing a capital not exceeding the sum of twenty-five thousand dollars shall pay fifty dollars; when using or employing a capital exceeding twenty-five thousand dollars, for every additional thousand dollars in excess of twenty-five thousand dollars, two dollars, and in estimating capital surplus shall be included. The amount of such annual tax shall in all cases be computed on the basis of the capital and surplus for the preceding fiscal year. In the case of bankers who were not in business in the preceding fiscal year the tax shall be computed on the capital at the time of commencing business. Every person, firm, or company, and every incorporated or other bank, having a place of business where credits are opened by the deposit or collection of money or currency, subject to be paid or remitted upon draft, check, or order, or where money is advanced or loaned on stocks, bonds, bullion, bills of exchange, or promissory notes, or where stocks, bonds, bullion, bills of exchange, or promissory notes are received for discount or sale shall be a banker under this Act: *Provided*, That any savings bank having no capital stock, and whose business is confined to receiving deposits and loaning or investing the same for the benefit of its depositors, and which does no other business of banking, shall not be subject to this tax.

—definition.

Proviso.  
—exception.

On brokers.  
—definition.

"Two. Brokers shall pay fifty dollars. Every person, firm, or company, whose business it is to negotiate purchases or sales of stocks, bonds, exchange, bullion, coined money, bank notes, promissory notes, or other securities for themselves or others, shall be regarded as a broker: *Provided*, That any person having paid the special tax as a banker shall not be required to pay the special tax as a broker.

Proviso.  
Bankers not  
taxable as bro-  
kers.

'Three. Pawnbrokers shall pay twenty dollars. Every person, firm, or company whose business or occupation it is to take or receive, by way of pledge, pawn, or exchange, of goods, wares, or merchandise, or any kind of personal property whatever, as security for the repayment of money loaned thereon, shall be deemed a pawnbroker. On pawnbrokers. —definition.

'Four. Custom-house brokers shall pay ten dollars. Every person, firm, or company whose occupation it is, as an agent of others, to arrange entries and other custom-house papers, or transact business at any port of entry relating to the importation or exportation of goods, wares, or merchandise, shall be regarded as a custom-house broker. On custom-house brokers. —definition.

'Five. Proprietors of theaters, museums, and concert halls in cities having more than twenty-five thousand population as shown by the last preceding United States census, shall pay one hundred dollars. Every edifice used for the purpose of dramatic or operatic or other representations, plays, or performances, for admission to which entrance money is received, not including halls rented or used occasionally for concerts or theatrical representations, shall be regarded as a theater: *Provided*, That whenever any such edifice is under lease at the passage of this act, the tax shall be paid by the lessee, unless otherwise stipulated between the parties to said lease. On theaters, museums, and concert halls. —definition. Proviso. —payment by lessees.

'Six. The proprietor or proprietors of circuses shall pay one hundred dollars. Every building, space, tent, or area where feats of horsemanship or acrobatic sports or theatrical performance are exhibited shall be regarded as a circus: *Provided*, That no special tax paid in one State, Territory, or the District of Columbia shall exempt exhibitions from the tax in another State, Territory, or the District of Columbia, and but one special tax shall be imposed for exhibitions within any one State, Territory, or District. Circuses. —definition. Proviso. Payment of tax in one State no exemption in another State.

'Seven. Proprietors or agents of all other public exhibitions or shows for money not enumerated in this section shall pay ten dollars: *Provided*, That a special tax paid in one State, Territory, or the District of Columbia shall not exempt exhibitions from the tax in another State, Territory, or the District of Columbia, and but one special tax shall be required for exhibitions within any one State, Territory, or the District of Columbia. Public exhibitions unenumerated. Proviso. Payment of tax in one State no exemption in another State.

'Eight. Proprietors of bowling alleys and billiard rooms shall pay five dollars for each alley or table. Every building or place where bowls are thrown or where games of billiards or pool are played, and that are open to the public with or without price, shall be regarded as a bowling alley or a billiard room, respectively. Bowling alleys and billiard rooms. —definition.

SEC. 3. That the internal-revenue tax on cigars weighing more than three pounds per thousand shall be three dollars per thousand; and the tax on cigars weighing not more than three pounds per thousand shall be eighteen cents per pound, and on cigarettes weighing not more than three pounds per thousand and of a wholesale value or price of not more than two dollars per thousand shall be Cigars and cigarettes.

eighteen cents per pound; and the tax on cigarettes weighing not more than three pounds per thousand and of a wholesale value or price of more than two dollars per thousand shall be thirty-six cents per pound; and all such cigars and cigarettes weighing not more than three pounds per thousand shall for purposes of taxation be held and considered as weighing three pounds.

Discount on sales by collectors to manufacturers of tobacco and snuff, etc.

Provision. Packages of smoking tobacco.

Drawbacks.

SEC. 4. That there shall be allowed a discount of twenty per centum on all sales by collectors to manufacturers of tobacco and snuff upon the stamps provided for the payment of internal-revenue taxes upon manufactured tobacco and snuff: *Provided*, That in addition to the packages of smoking tobacco now authorized by law there shall be packages of two ounces, three ounces, and four ounces: *And provided further*, That on all original and unbroken factory packages of smoking and manufactured tobacco and snuff, and cigars, held by manufacturers or dealers at the time such discount or reduction of tax shall go into effect, upon which the tax has been paid, there shall be allowed a drawback or rebate of the full amount of such discount or reduction of tax, but the same shall not apply in any case where the claim has not been presented within sixty days following the date of the reduction; and no claim shall be allowed or drawback paid for a less amount than ten dollars. It shall be the duty of the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, to adopt such rules and regulations and to prescribe and furnish such blanks and forms as may be necessary to carry this section into effect.

SEC. 5. That section six of said Act is hereby amended by striking out the words "medicines, preparations, matters, and things," in the last paragraph of said section, and inserting in lieu thereof the word "wines," so that the section as amended shall read as follows:

Adhesive stamps.

#### "ADHESIVE STAMPS.

Bonds, etc.

"SEC. 6. That on and after the first day of July, eighteen hundred and ninety-eight, there shall be levied, collected, and paid, for and in respect of the several bonds, debentures, or certificates of stock and of indebtedness, and other documents, instruments, matters, and things mentioned and described in Schedule A of this Act, or for or in respect of the vellum, parchment, or paper upon which such instruments, matters, or things, or any of them, shall be written or printed by any person or persons, or party who shall make, sign, or issue the same, or for whose use or benefit the same shall be made, signed, or issued, the several taxes or sums of money set down in figures against the same, respectively, or otherwise specified or set forth in the said schedule.

Wines.

"And there shall also be levied, collected, and paid, for and in respect to the wines mentioned and described in Schedule B of this Act, manufactured, sold, or removed for sale, the several taxes or sums of money set down in

words or figures against the same, respectively, or otherwise specified or set forth in Schedule B of this Act."

SEC. 6. That section nine of said Act is hereby amended by striking out the proviso, so that the section as amended shall read as follows: Cancellation.

"SEC. 9. That in any and all cases where an adhesive stamp shall be used for denoting any tax imposed by this Act, except as hereinafter provided, the person using or affixing the same shall write or stamp thereupon the initials of his name and the date upon which the same shall be attached or used, so that the same may not again be used. And if any person shall fraudulently make use of an adhesive stamp to denote any tax imposed by this Act without so effectually canceling and obliterating such stamp, except as before mentioned, he, she, or they shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than fifty nor more than five hundred dollars, or be imprisoned not more than six months, or both, at the discretion of the court." Vol. 80, p. 453.

SEC. 7. That section thirteen of said Act is hereby amended by striking out the words "Schedule A of," and also by inserting in the first proviso, after the words "bonds, debentures, or certificates of stock or of indebtedness," the words "or any instrument, document, or paper of any kind or description whatsoever mentioned in Schedule A of this Act;" so that said section as amended shall read as follows:

"SEC. 13. That any person or persons who shall register, issue, sell, or transfer, or who shall cause to be issued, registered, sold, or transferred, any instrument, document, or paper of any kind or description whatsoever mentioned in this Act, without the same being duly stamped, or having thereupon an adhesive stamp for denoting the tax chargeable thereon, and canceled in the manner required by law, with intent to evade the provisions of this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding fifty dollars, or by imprisonment not exceeding six months, or both, in the discretion of the court; and such instrument, document, or paper, not being stamped according to law, shall be deemed invalid and of no effect: *Provided*, That hereafter, in all cases where the party has not affixed to any instrument the stamp required by law thereon at the time of issuing, selling, or transferring the said bonds, debentures, or certificates of stock or of indebtedness, or any instrument, document, or paper of any kind or description whatsoever mentioned in Schedule A of this Act, and he or they, or any party having an interest therein, shall be subsequently desirous of affixing such stamp to said instrument, or, if said instrument be lost, to a copy thereof, he or they shall appear before the collector of internal revenue of the proper district, who shall, upon the payment of the price of the proper stamp required by law, and of a penalty of ten dollars, and, where Issue, sale, etc., of unstamped bonds, etc., with intent to evade tax.

Provisos. —subsequent validation of.



the whole amount of the tax denoted by the stamp required shall exceed the sum of fifty dollars, on payment also of interest, at the rate of six per centum, on said tax from the day on which such stamp ought to have been affixed, affix the proper stamp to such bond, debenture, certificate of stock or of indebtedness or copy, or instrument, document or paper of any kind or description whatsoever mentioned in Schedule A of this Act, and note upon the margin thereof the date of his so doing and the fact that such penalty has been paid; and the same shall thereupon be deemed and held to be as valid to all intents and purposes as if stamped when made or issued: *And provided further*, That where it shall appear to said collector, upon oath or otherwise, to his satisfaction, that any such instrument has not been duly stamped, at the time of making or issuing the same, by reason of accident, mistake, inadvertence, or urgent necessity, and without any willful design to defraud the United States of the stamp, or to evade or delay the payment thereof, then and in such case, if such instrument, or, if the original be lost, a copy thereof, duly certified by the officer having charge of any records in which such original is required to be recorded, or otherwise duly proven to the satisfaction of the collector, shall, within twelve calendar months after the making or issuing thereof, be brought to the said collector of internal revenue to be stamped, and the stamp tax chargeable thereon shall be paid, it shall be lawful for the said collector to remit the penalty aforesaid and to cause such instrument to be duly stamped. And when the original instrument, or a certified or duly proven copy thereof, as aforesaid, duly stamped so as to entitle the same to be recorded, shall be presented to the clerk, register, recorder, or other officer having charge of the original record, it shall be lawful for such officer, upon the payment of the fee legally chargeable for the recording thereof, to make a new record thereof, or to note upon the original record the fact that the error or omission in the stamping of said original instrument has been corrected pursuant to law; and the original instrument or such certified copy, or the record thereof, may be used in all courts and places in the same manner and with like effect as if the instrument had been originally stamped: *And provided further*, That in all cases where the party has not affixed the stamp required by law upon any such instrument issued, registered, sold, or transferred at a time when and at a place where no collection district was established, it shall be lawful for him or them, or any party having an interest therein, to affix the proper stamp thereto, or, if the original be lost, to a copy thereof. But no right acquired in good faith before the stamping of such instrument, or copy thereof, as herein provided, if such record be required by law, shall in any manner be affected by such stamping as aforesaid."

—unstamped by reason of accident.

—record of correction.

Unstamped instrument issued where no collection district established.

SEC. 8. That Schedule A of said Act is hereby amended so as to read as follows:



## "SCHEDULE A.

## "STAMP TAXES.

"One. Bonds, debentures, or certificates of indebtedness issued after the first day of July, anno Domini eighteen hundred and ninety-eight, by any association, company, or corporation, on each hundred dollars of face value or fraction thereof, five cents, and on each original issue, whether on organization or reorganization, of certificates of stock by any such association, company, or corporation, on each hundred dollars of face value or fraction thereof, five cents, and on all sales, or agreements to sell, or memoranda of sales or deliveries or transfers of shares or certificates of stock in any association, company, or corporation, whether made upon or shown by the books of the association, company, or corporation, or by any assignment in blank, or by any delivery, or by any paper or agreement or memorandum or other evidence of transfer or sale whether entitling the holder in any manner to the benefit of such stock, or to secure the future payment of money or for the future transfer of any stock, on each hundred dollars of face value or fraction thereof, two cents: *Provided*, That in case of sale where the evidence of transfer is shown only by the books of the company the stamp shall be placed upon such books; and where the change of ownership is by transfer certificate the stamp shall be placed upon the certificate; and in cases of an agreement to sell or where the transfer is by delivery of the certificate assigned in blank there shall be made and delivered by the seller to the buyer a bill or memorandum of such sale, to which the stamp shall be affixed; and every bill or memorandum of sale or agreement to sell before mentioned shall show the date thereof, the name of the seller, the amount of the sale, and the matter or thing to which it refers. And any person or persons liable to pay the tax as herein provided, or anyone who acts in the matter as agent or broker for such person or persons, who shall make any such sale, or who shall in pursuance of any such sale deliver any such stock, or evidence of the sale of any such stock or bill or memorandum thereof, as herein required, without having the proper stamps affixed thereto, with intent to evade the foregoing provisions, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than five hundred nor more than one thousand dollars, or be imprisoned not more than six months, or both, at the discretion of the court.

Bonds, debentures of certificates of indebtedness, etc.

*Proviso.*  
Books may be stamped where only evidence of ownership.

--penalty.

"Two. Upon each sale, agreement of sale, or agreement to sell any products or merchandise at any exchange, or board of trade, or other similar place, either for present or future delivery, for each one hundred dollars in value of said sale or agreement of sale or agreement to sell, one cent, and for each additional one hundred dollars or fractional part thereof in excess of one hundred dollars, one cent: *Provided*, That on every sale or agreement of sale

Sales or agreements to sell products at exchanges or boards of trade for future delivery, etc.

*Provisos.*

or agreement to sell as aforesaid there shall be made and delivered by the seller to the buyer a bill, memorandum, agreement, or other evidence of such sale, agreement of sale, or agreement to sell, to which there shall be affixed a lawful stamp or stamps in value equal to the amount of the tax on such sale. And every such bill, memorandum, or other evidence of sale or agreement to sell shall show the date thereof, the name of the seller, the amount of the sale, and the matter or thing to which it refers; and any person or persons liable to pay the tax as herein provided, or anyone who acts in the matter as agent or broker for such person or persons, who shall make any such sale or agreement of sale, or agreement to sell, or who shall, in pursuance of any such sale, agreement of sale, or agreement to sell, deliver any such products or merchandise without a bill, memorandum, or other evidence thereof as herein required, or who shall deliver such bill, memorandum, or other evidence of sale, or agreement to sell, without having the proper stamps affixed thereto, with intent to evade the foregoing provisions, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than five hundred nor more than one thousand dollars, or be imprisoned not more than six months, or both, at the discretion of the court: *Provided*, That no bill, memorandum, agreement, or other evidence of such sale, or agreement of sale, or agreement to sell, in case of products or merchandise actually delivered to, and while in vessel, boat, or car, and actually in course of transportation, shall be subject to this tax, provided such bill, memorandum, agreement, or other evidence of such sale, or agreement of sale, or agreement to sell shall be accompanied by bills of lading or vouchers showing that the said products are actually in course of transportation as aforesaid.

“Three. From and after the first day of April, nineteen hundred and one, every person, association, copartnership, or corporation who or which shall in his, its, or their own behalf, or as agent, engage in the business of making or offering to make contracts, agreements, trades, or transactions respecting the purchase or sale, or purchase and sale, of any grain, provisions, raw or unmanufactured cotton, stock, bonds, or other securities wherein both parties thereto, or such person, association, copartnership, or corporation above named, contemplate or intend that such contracts, agreements, trades, or transactions shall be or may be closed, adjusted, or settled according or with reference to the public market quotations of prices made on any board of trade or exchange upon which the commodities or securities referred to in said contracts, agreements, trades, or transactions are dealt in, and without a bona fide transaction on such board of trade or exchange, or wherein both parties, or such person, association, copartnership, or corporation above named, shall contemplate or intend that such contracts, agreements, trades, or transactions shall be or may be deemed closed or terminated when the public market quotations of prices

—memorandum  
of sale.

—form of.

—penalty, etc.

When bill, etc.,  
exempted from  
tax.

Sales without  
actual purchase,  
etc.

made on such board of trade or exchange for the articles or securities named in such contracts, agreements, trades, or transactions shall reach a certain figure, and every person, association, copartnership, and corporation who or which shall in his or its own behalf or as agent conduct what is commonly known as a "bucket shop" shall —bucket shops. pay a stamp tax of two cents on each one hundred dollars in value or fraction thereof, of the merchandise covered or pretended to be covered, and also a tax of two cents on each one hundred dollars on the face value or fraction thereof, of all stocks, bonds, or other securities covered or pretended to be covered by each and all of such contracts, agreements, trades, or transactions: *Provided however*, That the payment of any tax imposed by this paragraph shall not be held or construed to exempt any such person, association, copartnership, or corporation from any penalty or punishment provided by the laws of any State for carrying on such business, or the making of such contracts, agreements, trades, or transactions within such State, or in any manner to authorize the commencement or continuance of such business or the making of any such contracts, agreements, trades, or transactions contrary to the laws of such State, or in any place prohibited by municipal law; and on or before the first day of April, nineteen hundred and one, every such person, association, copartnership, or corporation, as aforesaid, shall, for each office or place of business and for each branch office or place of business, wherever established, pay a special tax of twelve dollars and fifty cents, and on or before the first day of July, nineteen hundred and one, and annually thereafter, for every such office or branch office, a special tax of fifty dollars, and such taxes shall be in addition to all other special taxes imposed by this Act. Every person, association, copartnership, or corporation proposing to engage in or continue the business aforesaid shall, before commencing such business, file with the collector or proper deputy collector of the district in which it is proposed to carry on such business a notice in writing under oath, and in such form as the Commissioner of Internal Revenue may prescribe, stating the name of the person, association, copartnership, or corporation intending to engage in such business, the names of the members of any such association or copartnership, and the names of the officers of any such corporation, together with the residences of all the individuals whose names are thus required, and the place (including street number) where such business is to be carried on, and it shall be the duty of the collector of internal revenue to keep in his office a book in which shall be recorded a complete copy of all such notices, and such book shall be open to public inspection. Every person, association, copartnership, or corporation conducting or transacting the business aforesaid shall keep or cause to be kept just and true books of account, wherein shall be plainly and legibly recorded on the day of the making of every such contract, agreement, trade, or transaction a complete and exact speci-

*Proviso.*  
Payment of  
tax not to ex-  
empt from State  
penalties.

Record of no-  
tice required  
from such bro-  
kers.

—books of ac-  
count.

—inspection of. fication thereof, including the date thereof, the other party thereto, and the quantity, price, and the gross amount in value of each article or commodity covered or pretended to be covered by each such contract, agreement, trade, or transaction, and such books shall at all reasonable times and hours be subject to the inspection of the collector, deputy collector, and the inspector of internal revenue or any duly authorized agent of the Internal Revenue Department, and every such person, association, copartnership, or corporation shall deliver to the other party to each such contract, agreement, trade, or transaction, at the time of making the same, a written memorandum also containing the complete and exact specification thereof, above referred to, to which the proper stamp shall be, before delivery, affixed. Every person, association, copartnership, or corporation who shall, in his or their own behalf, or as agent, engage in or continue in the business hereinbefore defined without having filed the notice herein required, or who shall fail or refuse to keep any such book or make any return, report, or affidavit required as aforesaid, or shall make a false, fraudulent, or partial return, report, or affidavit, or shall fail or refuse to deliver a written memorandum, as hereinbefore required, or shall in any other respect violate any of the provisions of this paragraph, shall, besides being liable for the amount of the tax or taxes herein prescribed, be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every such offense, pay a fine of not less than five hundred nor more than five thousand dollars, or be imprisoned not less than three months nor more than two years, or both, in the discretion of the court. All provisions of law now in force relating to the collection, recovery, and enforcement of taxes, fines, and penalties imposed under the law concerning internal revenue and not inconsistent with the provisions of this paragraph shall extend and apply to the recovery and enforcement of the taxes, fines, and penalties imposed by this paragraph.

Bills of exchange (inland).

“Four. Bill of exchange (inland), draft, or order for the payment of any sum of money, otherwise than at sight or on demand, and for each renewal of the same, for a sum not exceeding one hundred dollars, two cents; and for each additional one hundred dollars or fractional part thereof in excess of one hundred dollars, two cents.

Bills of exchange (foreign).

“Five. Bill of exchange (foreign) or letter of credit (including orders by telegraph or otherwise for the payment of money issued by express or other companies or any person or persons), drawn in but payable out of the United States, if drawn singly or otherwise than in a set of three or more, according to the custom of merchants and bankers, shall pay for a sum not exceeding one hundred dollars, two cents, and for each one hundred dollars or fractional part thereof in excess of one hundred dollars, two cents. If drawn in sets of two or more: For every bill of each set, where the sum made payable shall not exceed one hundred dollars, or the equivalent thereof, in any foreign currency in which such bill may be ex-

pressed, according to the standard of value fixed by the United States, one cent; and for each one hundred dollars or fractional part thereof in excess of one hundred dollars, one cent. Excepting that bills of exchange drawn against the value of products or merchandise actually exported to foreign countries shall not be subject to this tax, provided that such bills of exchange shall be accompanied by proper invoices, and receipts, bills of lading, or vouchers, showing that goods of a value at least equal to the amount for which said bill of exchange may be drawn shall have been exported.

“Six. Freight: It shall be the duty of every railroad or steamboat company, carrier, or corporation, or person whose occupation is to act as such, except persons, companies, or corporations engaged in carrying on a local or other express business, to issue to the shipper or consignor, or his agent, or person from whom any goods are accepted for transportation, a bill of lading, manifest, or other evidence of receipt and forwarding for each shipment received for carriage and transportation, whether in bulk or in boxes, bales, packages, bundles, or not so inclosed or included; and there shall be duly attached and canceled, as is in this Act provided, to each of said bills of lading, manifests, or other memorandum, and to each duplicate thereof, a stamp of the value of one cent: *Provided*, That but one bill of lading shall be required on bundles or packages of newspapers when inclosed in one general bundle at the time of shipment. Any failure to issue such bill of lading, manifest, or other memorandum, as herein provided, shall subject such railroad or steamboat company, carrier, or corporation, or person to a penalty of fifty dollars for each offense, and no such bill of lading, manifest, or other memorandum shall be used in evidence unless it shall be duly stamped as aforesaid.

Freight.

Stamp tax on bill of lading.

*Proviso.*  
Bundles of newspapers.  
Penalty.

“Seven. Bond: For indemnifying any person or persons, firm, or corporation who shall have become bound or engaged as surety for the payment of any sum of money, or for the due execution or performance of the duties of any office or position, and to account for money received by virtue thereof, fifty cents.

Bonds.

“Eight. Certificate of profits, or any certificate or memorandum showing an interest in the property or accumulations of any association, company, or corporation, and on all transfers thereof, on each one hundred dollars of face value or fraction thereof, two cents.

Certificate of profits, etc.

“Nine. Contract: Broker's note, or memorandum of sale of any goods or merchandise, stocks, bonds, exchange, notes of hand, real estate, or property of any kind or description issued by brokers, or persons acting as such, for each note or memorandum of sale, not otherwise provided for in this Act, ten cents.

Contract.

“Ten. Conveyance: Deed, instrument, or writing, whereby any lands, tenements, or other realty shall be sold, granted, assigned, transferred, or otherwise conveyed to or vested in the purchaser or purchasers, or any other person or persons, by his, her, or their direction, when the

Conveyance.



consideration or value exceeds twenty-five hundred dollars and does not exceed three thousand dollars, twenty-five cents, and for each additional five hundred dollars or fractional part thereof in excess of three thousand dollars, twenty-five cents.

Entry of  
goods at cus-  
tom-house.

“Eleven. Entry of any goods, wares, or merchandise at any custom-house, either for consumption or warehousing, not exceeding one hundred dollars in value, twenty-five cents. Exceeding one hundred dollars and not exceeding five hundred dollars in value, fifty cents. Exceeding five hundred dollars in value, one dollar.

—withdrawal.

“Twelve. Entry for the withdrawal of any goods or merchandise from customs bonded warehouse, fifty cents.

Passage tick-  
ets.

“Thirteen. Passage tickets: Ticket, order, contract, or certificate for passage by any vessel from any port in the United States to a foreign port, costing fifty dollars, fifty cents; and for each fifty dollars or any part thereof in addition thereto, fifty cents.”

Wines.

SEC. 9. That Schedule B of said Act is hereby amended so as to read as follows:

#### “SCHEDULE B.

“Sparkling or other wines, when bottled for sale, upon each bottle containing one pint or less, one cent. Upon each bottle containing more than one pint, two cents.”

Legacies and  
distributive  
shares of per-  
sonal property.

SEC. 10. That section twenty-nine of said Act is hereby amended by adding at the end of said section the following: “*Provided*, That nothing in this section shall be construed to apply to bequests or legacies for uses of a religious, literary, charitable, or educational character, or for the encouragement of art, or to legacies or bequests to societies for the prevention of cruelty to children, including all bequests or legacies of such character on which the tax imposed had not been paid or collected on the first day of March, nineteen hundred and one: *And provided further*, That the provisions of this Act and of the Act hereby amended shall not be held to apply to any estate where the testator or intestate died before June thirteenth, eighteen hundred and ninety-eight,” so that said section as amended shall read as follows:

#### “LEGACIES AND DISTRIBUTIVE SHARES OF PERSONAL PROPERTY.

Personal es-  
tate not exceed-  
ing \$25,000.

“SEC. 29. That any person or persons having in charge or trust, as administrators, executors, or trustees, any legacies or distributive shares arising from personal property, where the whole amount of such personal property as aforesaid shall exceed the sum of ten thousand dollars in actual value, passing, after the passage of this Act, from any person possessed of such property, either by will or by the intestate laws of any State or Territory, or any personal property or interest therein, transferred by deed, grant, bargain, sale, or gift, made or intended to take effect in possession or enjoyment after the death of the



grantor or bargainer, to any person or persons, or to any body or bodies, politic or corporate, in trust or otherwise, shall be, and hereby are, made subject to a duty or tax, to be paid to the United States, as follows—that is to say: Where the whole amount of said personal property shall exceed in value ten thousand and shall not exceed in value the sum of twenty-five thousand dollars the tax shall be:

“First. Where the person or persons entitled to any beneficial interest in such property shall be the lineal issue or lineal ancestor, brother, or sister to the person who died possessed of such property, as aforesaid, at the rate of seventy-five cents for each and every hundred dollars of the clear value of such interest in such property. Tax on lineal issue, brother, etc.

“Second. Where the person or persons entitled to any beneficial interest in such property shall be the descendant of a brother or sister of the person who died possessed, as aforesaid, at the rate of one dollar and fifty cents for each and every hundred dollars of the clear value of such interest. —descendant of brother, etc.

“Third. Where the person or persons entitled to any beneficial interest in such property shall be the brother or sister of the father or mother, or a descendant of a brother or sister of the father or mother, of the person who died possessed, as aforesaid, at the rate of three dollars for each and every hundred dollars of the clear value of such interest. —uncle.

“Fourth. Where the person or persons entitled to any beneficial interest in such property shall be the brother or sister of the grandfather or grandmother, or a descendant of the brother or sister of the grandfather or grandmother, of the person who died possessed, as aforesaid, at the rate of four dollars for each and every hundred dollars of the clear value of such interest. —brother or sister of grandfather.

“Fifth. Where the person or persons entitled to any beneficial interest in such property shall be in any other degree of collateral consanguinity than is hereinbefore stated, or shall be a stranger in blood to the person who died possessed, as aforesaid, or shall be a body politic or corporate, at the rate of five dollars for each and every hundred dollars of the clear value of such interest: *Provided*, That all legacies or property passing by will, or by the laws of any State or Territory, to husband or wife of the person died possessed, as aforesaid, shall be exempt from tax or duty. Other degrees of relationship. —exemption.

“Where the amount or value of said property shall exceed the sum of twenty-five thousand dollars, but shall not exceed the sum or value of one hundred thousand dollars, the rates of duty or tax above set forth shall be multiplied by one and one-half; and where the amount or value of said property shall exceed the sum of one hundred thousand dollars, but shall not exceed the sum of five hundred thousand dollars, such rates of duty shall be multiplied by two; and where the amount or value of said property shall exceed the sum of five hundred thousand dollars, but shall not exceed the sum of one million dollars, such rates of duty shall be multiplied by two and Personal estate not exceeding \$100,000, etc.

*Proviso.*  
—exemptions.

Where testa-  
tor died before  
June 13, 1898.

one-half; and where the amount or value of said property shall exceed the sum of one million dollars, such rates of duty shall be multiplied by three: *Provided*, That nothing in this section shall be construed to apply to bequests or legacies for uses of a religious, literary, charitable, or educational character, or for the encouragement of art, or to legacies or bequests to societies for the prevention of cruelty to children, including all bequests or legacies of such character on which the tax imposed had not been paid or collected on the first day of March, nineteen hundred and one: *And provided further*, That the provisions of this Act and of the Act hereby amended shall not be held to apply to any estate where the testator or intestate died before June thirteenth, eighteen hundred and ninety-eight."

Tax a lien:  
when payable.

SEC. 11. That section thirty of said Act is hereby amended so as to read as follows:

"SEC. 30. That the tax or duty aforesaid shall be due and payable in one year after the death of the testator and shall be a lien and charge upon the property of every person who may die as aforesaid for twenty years, or until the same shall, within that period, be fully paid to and discharged by the United States; and every executor, administrator, or trustee having in charge or trust any legacy or distributive share, as aforesaid, shall give notice thereof, in writing, to the collector or deputy collector of the district where the deceased grantor or bargainer last resided within thirty days after he shall have taken charge of such trust, and every executor, administrator, or trustee, before payment and distribution to the legatees, or any parties entitled to beneficial interest therein, shall pay to the collector or deputy collector of the district of which the deceased person was a resident, or in which the property was located in case of nonresidents, the amount of the duty or tax assessed upon such legacy or distributive share, and shall also make and render to the said collector or deputy collector a schedule, list, or statement, in duplicate, of the amount of such legacy or distributive share, together with the amount of duty which has accrued, or shall accrue, thereon, verified by his oath or affirmation, to be administered and certified thereon by some magistrate or officer having lawful power to administer such oaths, in such form and manner as may be prescribed by the Commissioner of Internal Revenue, which schedule, list, or statement shall contain the names of each and every person entitled to any beneficial interest therein, together with the clear value of such interest, the duplicate of which schedule, list, or statement shall be by him immediately delivered, and the tax thereon paid to such collector; and upon such payment and delivery of such schedule, list, or statement said collector or deputy collector shall grant to such person paying such duty or tax a receipt or receipts for the same in duplicate, which shall be prepared as hereinafter provided. Such receipt or receipts, duly signed and delivered by such collector or

Schedule, etc.

Receipt.

deputy collector, shall be sufficient evidence to entitle such executor, administrator, or trustee to be credited and allowed such payment by every tribunal which, by the laws of any State or Territory, is, or may be, empowered to decide upon and settle the accounts of executors and administrators. And in case such executor, administrator, or trustee shall refuse or neglect to pay the aforesaid duty or tax to the collector or deputy collector, as aforesaid, within the time hereinbefore provided, or shall neglect or refuse to deliver to said collector or deputy collector the duplicate of the schedule, list, or statement of such legacies, property, or personal estate, under oath, as aforesaid, or shall neglect or refuse to deliver the schedule, list, or statement of such legacies, property, or personal estate, under oath, as aforesaid, or shall deliver to said collector or deputy collector a false schedule or statement of such legacies, property, or personal estate, or give the names and relationship of the persons entitled to beneficial interests therein untruly, or shall not truly and correctly set forth and state therein the clear value of such beneficial interest, or where no administration upon such property or personal estate shall have been granted or allowed under existing laws, the collector or deputy collector shall make out such lists and valuation as in other cases of neglect or refusal, and shall assess the duty thereon; and the collector shall commence appropriate proceedings before any court of the United States, in the name of the United States, against such person or persons as may have the actual or constructive custody or possession of such property or personal estate, or any part thereof, and shall subject such property or personal estate, or any portion of the same, to be sold upon the judgment or decree of such court, and from the proceeds of such sale the amount of such tax or duty, together with all costs and expenses of every description to be allowed by such court, shall be first paid, and the balance, if any, deposited according to the order of such court, to be paid under its direction to such person or persons as shall establish title to the same. The deed or deeds, or any proper conveyance of such property or personal estate, or any portion thereof, so sold under such judgment or decree, executed by the officer lawfully charged with carrying the same into effect, shall vest in the purchaser thereof all the title of the delinquent to the property or personal estate sold under and by virtue of such judgment or decree, and shall release every other portion of such property or personal estate from the lien or charge thereon created by this Act. And every person or persons who shall have in his possession, charge, or custody any record, file, or paper containing, or supposed to contain, any information concerning such property or personal estate, as aforesaid, passing from any person who may die, as aforesaid, shall exhibit the same at the request of the collector or deputy collector of the district, and to any law officer of the United States, in the performance of his duty under this Act, his

Nonpayment  
of tax.

—legal proceed-  
ings to recover.

—force of judg-  
ment deeds.

deputy or agent, who may desire to examine the same. And if any such person, having in his possession, charge, or custody any such records, files, or papers, shall refuse or neglect to exhibit the same on request, as aforesaid, he shall forfeit and pay the sum of five hundred dollars:

Penalty for refusal to exhibit papers, etc.

*Proviso.*  
—recital in deed: force of.

—willful refusal: penalty.

—deduction.

Agent to enforce tax, etc. authorized.

Special agents.

Mixed flour.—definition.

*Proviso.*  
Mixed flour when wheat flour not the principal constituent.

Stamps on telegraph messages. Repeal. Effect.

*Provided*, That in all legal controversies where such deed or title shall be the subject of judicial investigation, the recital in said deed shall be prima facie evidence of its truth, and that the requirements of the law had been complied with by the officers of the Government: *And provided further*, That in case of willful neglect, refusal, or false statement by such executor, administrator, or trustee, as aforesaid, he shall be liable to a penalty of not exceeding one thousand dollars, to be recovered with costs of suit. Any tax paid under the provisions of sections twenty-nine and thirty shall be deducted from the particular legacy or distributive share on account of which the same is charged."

SEC. 12. That from and after the passage of this Act the Secretary of the Treasury, upon the recommendation of the Commissioner of Internal Revenue, is authorized to appoint a competent person, at an annual salary of three thousand dollars, whose special duty it shall be to conduct such investigations as may be necessary to secure the efficient enforcement of the tax imposed upon legacies and distributive shares of personal property by this Act, and the Commissioner of Internal Revenue may also from time to time assign one or more special agents to aid in such investigations.

SEC. 13. That section thirty-five of said Act is hereby amended so as to read as follows:

"SEC. 35. That for the purposes of this Act, the words 'mixed flour' shall be taken and construed to mean the food products resulting from the grinding or mixing together of wheat, or wheat flour, as the principal constituent in quantity, with any other grain, or the product of any other grain, or other material, except such material, not exceeding five per centum in quantity, and not the product of any grain, as is commonly used for baking purposes: *Provided*, That when the product resulting from the grinding or mixing together of wheat or wheat flour with any other grain, or the product of any other grain, of which wheat or wheat flour is not the principal constituent as specified in the foregoing definition, is intended for sale, or is sold, or offered for sale as wheat flour, such product shall be held to be mixed flour within the meaning of this Act."

SEC. 14. That section eighteen of said Act is hereby repealed.

SEC. 15. That the provisions of this Act shall take effect on and after the first day of July, nineteen hundred and one, except where otherwise expressly provided.

*Fifty-seventh Congress, first session.*

**CHAP. 500.**—An Act To repeal war-revenue taxation, and for other purposes. April 12, 1902.

[Public, No. 67.]  
32 Stats. L., pt.  
1, p. 98.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section one of the Act entitled "An Act to provide ways and means to meet war expenditures, and for other purposes," approved June thirteenth, eighteen hundred and ninety-eight, as amended by the Act of March second, nineteen hundred and one, entitled "An Act to amend an Act entitled 'An Act to provide ways and means to meet war expenditures, and for other purposes,' approved June thirteenth, eighteen hundred and ninety-eight, and to reduce taxation thereunder," be, and is hereby, further amended so as to read as follows:

War revenue  
repeal.

"SECTION 1. That there shall be paid on all beer, lager beer, ale, porter, and other similar fermented liquor, brewed or manufactured and sold, or stored in warehouse, or removed for consumption or sale, within the United States, by whatever name such liquors may be called, in lieu of the tax now imposed by law, a tax of one dollar for every barrel containing not more than thirty-one gallons; and at a like rate for any other quantity or for any fractional part of a barrel, as authorized and defined by section thirty-three hundred and thirty-nine of the Revised Statutes of the United States: *Provided*, That in lieu of or in addition to the present requirements of law in that respect all stamps used for denoting the tax upon fermented liquors or other taxes may, in the discretion of the Commissioner of Internal Revenue, be canceled by perforations to be made in such manner and form as the Commissioner may, by regulations, prescribe."

Fermented  
liquors.  
Tax reduced  
to one dollar a  
barrel.

R. S., sec. 8339,  
p. 651, amended.

Proviso.  
Cancellation  
of stamps.

SEC. 2. That section two of said Act of June thirteenth, eighteen hundred and ninety eight, and all amendments thereof, are hereby repealed.

Special taxes  
repealed.

SEC. 3. That section three of said Act and amendments thereof be amended to read as follows:

Tobacco taxes.

"SEC. 3. That upon tobacco and snuff manufactured and sold, or removed for consumption or use, there shall be levied and collected, in lieu of the tax now imposed by law, the following taxes:

"On snuff, manufactured of tobacco or any substitute for tobacco, ground, dry, damp, pickled, scented, or otherwise, of all descriptions, when prepared for use, a tax of six cents per pound. And snuff-flour, when sold, or removed for use or consumption, shall be taxed as snuff, and shall be put up in packages and stamped in the same manner as snuff.

Snuff.

"On all chewing and smoking tobacco, fine cut, cavendish, plug, or twist, cut or granulated, of every description; on tobacco twisted by hand or reduced into a condition to be consumed, or in any manner other than the ordinary mode of drying and curing, prepared for sale

Tobacco.



or consumption, even if prepared without the use of any machine or instrument, and without being pressed or sweetened; and on all fine-cut shorts and refuse scraps, clippings, cuttings, and sweepings of tobacco, a tax of six cents per pound.

Cigars and  
cigarettes.

“That the internal-revenue tax on cigars or cigarettes weighing more than three pounds per thousand shall be three dollars per thousand; and the tax on cigars weighing not more than three pounds per thousand shall be eighteen cents per pound, and on cigarettes weighing not more than three pounds per thousand and of a wholesale value or price of not more than two dollars per thousand shall be eighteen cents per pound; and the tax on cigarettes weighing not more than three pounds per thousand and of a wholesale value or price of more than two dollars per thousand shall be thirty-six cents per pound; and all such cigars and cigarettes weighing not more than three pounds per thousand shall, for purposes of taxation, be held and considered as weighing three pounds.

Packages.

“That in addition to the packages of smoking tobacco and snuff now authorized by law there shall be packages of one and two-thirds ounces, two ounces, two and one-half ounces, three ounces, three and one-third ounces, and four ounces; and there may be a package containing one ounce of smoking tobacco.

Drawback on  
stock held July  
1, 1912.

SEC. 4. That on all original and unbroken factory packages of smoking and manufactured tobacco and snuff, held by manufacturers or dealers on July first, nineteen hundred and two, upon which there has been paid a higher tax than that provided for in the preceding section of this Act, there shall be allowed a drawback or rebate equal to the full amount of the difference between such higher tax and the tax imposed by this Act, after making the proper allowance for discounts and rebates heretofore authorized, but the same shall not apply in any case where the claim has not been presented within sixty days after July first, nineteen hundred and two; and no claim shall be allowed or drawback paid for a less amount than ten dollars. It shall be the duty of the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, to adopt such rules and regulations and to prescribe and furnish such blanks and forms as may be necessary to carry this section into effect.

Dealers' tax  
repealed.

SEC. 5. That section four of the Act of June thirteenth, eighteen hundred and ninety-eight, is hereby repealed.

SEC. 6. That section five of the Act of June thirteenth, eighteen hundred and ninety-eight, be amended to read as follows:

Temporary  
use of old  
stamps.

“SEC. 5. That until appropriate stamps are prepared and furnished, the stamps heretofore used to denote the payment of the internal-revenue tax on fermented liquors, tobacco, and snuff may be stamped or imprinted with a suitable device to denote the new rate of tax, and shall be affixed to all packages containing such articles on which the tax imposed by this Act is paid. And any person having possession of unaffixed stamps heretofore issued for

Exchange  
of old stamps.



the payment of the tax upon fermented liquors, tobacco, and snuff shall present the same to the collector of the district, who shall receive them at the price paid for such stamps by the purchasers and issue in lieu thereof new or imprinted stamps at the rate provided by this Act."

SEC. 7. That section four of said Act of March second, nineteen hundred and one, and sections six, twelve, eighteen, twenty, twenty-one, twenty-two, twenty three, twenty-four, twenty-five, Schedule A, Schedule B, sections twenty-seven, twenty-eight, and twenty-nine of the Act of June thirteenth, eighteen hundred and ninety-eight, and all amendments of said sections and schedules be, and the same are hereby, repealed.

Stamp and legacy taxes repealed.

SEC. 8. That all taxes or duties imposed by section twenty-nine of the Act of June thirteenth, eighteen hundred and ninety-eight, and amendments thereof, prior to the taking effect of this Act, shall be subject, as to lien, charge, collection, and otherwise, to the provisions of section thirty of said Act of June thirteenth, eighteen hundred and ninety-eight, and amendments thereof, which are hereby continued in force, as follows:

Lien on unpaid legacy taxes.

"SEC. 30. That the tax or duty aforesaid shall be due and payable in one year after the death of the testator and shall be a lien and charge upon the property of every person who may die as aforesaid for twenty years, or until the same shall, within that period, be fully paid to and discharged by the United States; and every executor, administrator, or trustee having in charge or trust any legacy or distributive share, as aforesaid, shall give notice thereof, in writing, to the collector or deputy collector of the district where the deceased grantor or bargainer last resided within thirty days after he shall have taken charge of such trust, and every executor, administrator, or trustee, before payment and distribution to the legatees, or any parties entitled to beneficial interest therein, shall pay to the collector or deputy collector of the district of which the deceased person was a resident, or in which the property was located in case of nonresidents, the amount of the duty or tax assessed upon such legacy or distributive share, and shall also make and render to the said collector or deputy collector a schedule, list, or statement, in duplicate, of the amount of such legacy or distributive share, together with the amount of duty which has accrued, or shall accrue, thereon, verified by his oath or affirmation, to be administered and certified thereon by some magistrate or officer having lawful power to administer such oaths, in such form and manner as may be prescribed by the Commissioner of Internal Revenue, which schedule, list, or statement shall contain the names of each and every person entitled to any beneficial interest therein, together with the clear value of such interests, the duplicate of which schedule, list, or statement shall be by him immediately delivered, and the tax thereon paid to such collector; and upon such payment and delivery of such schedule, list, or statement said collector or deputy collector shall grant to such person paying such

Legacy tax a lien on testator's property.

Notice by executor, etc.

Payment.

Schedules, etc.

Receipts.

Assessment,  
etc., by collector  
on failure of ex-  
ecutor, etc.

Legal pro-  
ceedings to re-  
cover.

Title vested in  
purchaser

Exhibition  
papers, etc.

duty or tax a receipt or receipts for the same in duplicate, which shall be prepared as hereinafter provided. Such receipt or receipts, duly signed and delivered by such collector or deputy collector, shall be sufficient evidence to entitle such executor, administrator, or trustee to be credited and allowed such payment by every tribunal which, by the laws of any State or Territory, is, or may be, empowered to decide upon and settle the accounts of executors and administrators. And in case such executor, administrator or trustee shall refuse or neglect to pay the aforesaid duty or tax to the collector or deputy collector, as aforesaid, within the time hereinbefore provided, or shall neglect or refuse to deliver to said collector or deputy collector the duplicate of the schedule, list, or statement of such legacies, property, or personal estate, under oath, as aforesaid, or shall neglect or refuse to deliver the schedule, list, or statement of such legacies, property, or personal estate, under oath, as aforesaid, or shall deliver to said collector or deputy collector a false schedule or statement of such legacies, property, or personal estate, or give the names and relationship of the persons entitled to beneficial interests therein untruly, or shall not truly and correctly set forth and state therein the clear value of such beneficial interest, or where no administration upon such property or personal estate shall have been granted or allowed under existing laws, the collector or deputy collector shall make out such lists and valuation as in other cases of neglect or refusal, and shall assess the duty thereon; and the collector shall commence appropriate proceedings before any court of the United States, in the name of the United States, against such person or persons as may have the actual or constructive custody or possession of such property or personal estate, or any part thereof, and shall subject such property or personal estate, or any portion of the same, to be sold upon the judgment or decree of such court, and from the proceeds of such sale the amount of such tax or duty, together with all costs and expenses of every description to be allowed by such court, shall be first paid, and the balance, if any, deposited according to the order of such court, to be paid under its direction to such person or persons as shall establish title to the same. The deed or deeds, or any proper conveyance of such property or personal estate, or any portion thereof, so sold under such judgment or decree, executed by the officer lawfully charged with carrying the same into effect, shall vest in the purchaser thereof all the title of the delinquent to the property or personal estate sold under and by virtue of such judgment or decree, and shall release every other portion of such property or personal estate from the lien or charge thereon created by this Act. And every person or persons who shall have in his possession, charge, or custody any record, file, or paper containing, or supposed to contain, any information concerning such property or personal estate, as aforesaid, passing from any person who may die, as aforesaid, shall exhibit the same at the request of the collector or deputy collector

of the district, and to any law officer of the United States, in the performance of his duty under this Act, his deputy or agent, who may desire to examine the same. And if any such person, having in his possession, charge, or custody any such records, files, or papers, shall refuse or neglect to exhibit the same on request, as aforesaid, he shall forfeit and pay the sum of five hundred dollars: *Penalty for refusal.* *Provided,* That in all legal controversies where such deed or title shall be the subject of judicial investigation, the recital in said deed shall be prima facie evidence of its truth, and that the requirements of the law had been complied with by the officers of the Government: *Provisos. Effect of recital of deed.* *And provided further,* That in case of willful neglect, refusal, or false statement by such executor, administrator, or trustee, as aforesaid, he shall be liable to a penalty of not exceeding one thousand dollars, to be recovered with costs of suit. *Penalty for neglect, etc.* Any tax paid under the provisions of sections twenty-nine and thirty shall be deducted from the particular legacy or distributive share on account of which the same is charged." *Deduction.*

SEC. 9. That section thirty-five of said Act of June thirteenth, eighteen hundred and ninety-eight, and the amendments thereof, be amended so as to read as follows: *Mixed flour.*

"SEC. 35. That for the purposes of this Act, the words 'mixed flour' shall be taken and construed to mean the food product resulting from the grinding or mixing together of wheat, or wheat flour, as the principal constituent in quantity, with any other grain, or the product of any other grain, or other material, except such material, and not the product of any grain, as is commonly used for baking purposes: *Definition.* *Provided,* That when the product resulting from the grinding or mixing together of wheat or wheat flour with any other grain, or the product of any other grain, of which wheat or wheat flour is not the principal constituent as specified in the foregoing definition, is intended for sale, or is sold, or offered for sale as wheat flour, such product shall be held to be mixed flour within the meaning of this Act."

SEC. 10. That section fifty of the Act of June thirteenth, eighteen hundred and ninety-eight, be repealed, to take effect January first, nineteen hundred and three. *Tea duty repealed.*

SEC. 11. That this Act, except as otherwise specially provided for in the preceding section, shall take effect July first, nineteen hundred and two. *In effect July 1, 1902, except as to tea.*

**CHAP. 1160.**—An Act To provide for refunding taxes paid upon legacies and bequests for uses of a religious, charitable, or educational character, for the encouragement of art, and so forth, under the Act of June thirteenth, eighteen hundred and ninety-eight, and for other purposes. *June 27, 1902. [Public, No. 178.] 32 Stats. L., pt. 1, p. 408.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury, under appropriate rules and regulations to be prescribed by him, be, and he is hereby— *Legacy taxes for religious, etc., purposes. Refunding of.*

by, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the corporations, associations, societies, or individuals as trustees or executors, such sums of money as have been paid by them as taxes upon bequests or legacies for uses of a religious, literary, charitable, or educational character, or for the encouragement of art, or legacies or bequests to societies for the prevention of cruelty to children, under the provisions of section twenty-nine of the Act entitled "An Act to provide ways and means to meet war expenditures, and for other purposes," approved June thirteenth, eighteen hundred and ninety-eight.

Refund of export bills of lading taxes.

SEC. 2. That the Secretary of the Treasury, under rules and regulations to be prescribed by him, be, and he is hereby, authorized and directed to refund, out of any money in the Treasury not otherwise appropriated, sums paid for documentary stamps used on export bills of lading, such stamps representing taxes which were illegally assessed and collected.

Refund of legacy tax on contingent interests.

SEC. 3. That in all cases where an executor, administrator, or trustee shall have paid, or shall hereafter pay, any tax upon any legacy or distributive share of personal property under the provisions of the Act approved June thirteenth, eighteen hundred and ninety-eight, entitled "An Act to provide ways and means to meet war expenditures, and for other purposes," and amendments thereof, the Secretary of the Treasury be, and he is hereby, authorized and directed to refund, out of any money in the Treasury not otherwise appropriated, upon proper application being made to the Commissioner of Internal Revenue, under such rules and regulations as may be prescribed, so much of said tax as may have been collected on contingent beneficial interests which shall not have become vested prior to July first, nineteen hundred and two.

No tax on contingent interests not vested.

And no tax shall hereafter be assessed or imposed under said Act approved June thirteenth, eighteen hundred and ninety-eight, upon or in respect of any contingent beneficial interest which shall not become absolutely vested in possession or enjoyment prior to said July first, nineteen hundred and two.

Taxes on collaterals remitted.

SEC. 4. That taxes which shall have accrued before the taking effect of the Act of April twelfth, nineteen hundred and two, entitled "An Act to repeal war-revenue taxation, and for other purposes," and since July first, nineteen hundred, upon securities delivered or transferred to secure the future payment of money, are hereby remitted.

## ARMY AND NAVY.

*Fifty-fifth Congress, second session.*

**CHAP. 53.**—An Act To authorize two additional regiments of artillery. March 8, 1898.  
[Public. No. 30.]  
30 Stats. L., p. 261.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the artillery of the Army shall consist of seven regiments, and that the total number of enlisted men in the Army of the United States, including Indian scouts and the Hospital Corps, shall be increased one thousand six hundred and ten, the increase to be exclusively for the artillery arm. Army.  
Additional regiments of artillery authorized. R. S., sec. 1094, p. 262, amended.

**SEC. 2.** That each regiment of artillery shall consist of one colonel, one lieutenant-colonel, three majors, twelve captains, fourteen first lieutenants, twelve second lieutenants, one sergeant-major, one quartermaster-sergeant, one chief musician, two principal musicians, and twelve batteries: *Provided*, That two batteries of each regiment may, in the discretion of the President, be organized as field artillery, and each battery that may be so organized shall have, in addition to the battery organization now authorized by law, four corporals, two farriers, and one saddler: *And provided further*, That each of the remaining batteries that are not organized as field artillery may, in the discretion of the President, have two additional sergeants. Composition of regiments. R. S., sec. 1099, p. 203.  
  
Provisos.  
Field artillery. R. S., sec. 1101, p. 203, amended.  
  
Additional sergeants.

**SEC. 3.** That all vacancies created or caused by this Act shall be filled by promotion, according to seniority, from the next lower grade in the arm; and the existing provisions of law governing examinations for promotion shall apply to appointments made under this Act. Promotions.

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**CHAP. 56.**—An Act Making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for prior years, and for other purposes. March 9, 1898.  
[Public. No. 33.]  
30 Stats. L., p. 273.

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## NATIONAL DEFENSE.

National defense.

For the national defense, and for each and every purpose connected therewith, to be expended at the discretion of the President and to remain available until January first, eighteen hundred and ninety-nine, fifty million dollars.



April 22, 1898. **CHAP. 187.**—An Act To provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes.  
 [Public, No. 67.]  
 30 Stats. L., p. 361.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That*  
 Army in time of war. National forces.  
 all able-bodied male citizens of the United States, and persons of foreign birth who shall have declared their intention to become citizens of the United States under and in pursuance of the laws thereof, between the ages of eighteen and forty-five years, are hereby declared to constitute the national forces, and, with such exceptions and under such conditions as may be prescribed by law, shall be liable to perform military duty in the service of the United States.

Active land forces, composition of.  
*Provido.*  
 Branches of Army in time of war.  
**SEC. 2.** That the organized and active land forces of the United States shall consist of the Army of the United States and of the militia of the several States when called into the service of the United States: *Provided*, That in time of war the Army shall consist of two branches which shall be designated, respectively, as the Regular Army and the Volunteer Army of the United States.

Regular Army, permanent maintenance of.  
**SEC. 3.** That the Regular Army is the permanent military establishment, which is maintained both in peace and war according to law.

Volunteer Army, maintenance only during war, etc.  
**SEC. 4.** That the Volunteer Army shall be maintained only during the existence of war, or while war is imminent, and shall be raised and organized, as in this Act provided, only after Congress has or shall have authorized the President to raise such a force or to call into the actual service of the United States the militia of the several States: *Provided*, That all enlistments for the Volunteer Army shall be for a term of two years, unless sooner terminated, and that all officers and men composing said army shall be discharged from the service of the United States when the purposes for which they were called into service shall have been accomplished, or on the conclusion of hostilities.

Organization of Volunteer Army.  
**SEC. 5.** That when it becomes necessary to raise a volunteer army the President shall issue his proclamation stating the number of men desired, within such limits as may be fixed by law, and the Secretary of War shall prescribe such rules and regulations, not inconsistent with the terms of this Act, as may in his judgment be necessary for the purpose of examining, organizing, and receiving into service the men called for: *Provided*, That all men received into service in the Volunteer Army shall, as far as practicable, be taken from the several States and Territories and the District of Columbia and the Indian Territory in proportion to their population. And any company, troop, battalion or regiment from the Indian Territory shall be formed and organized under such rules and regulations as shall be prescribed by the Secretary of War.

*Provido.*  
 —apportionment of recruits.  
 Companies, etc., from Indian Territory.  
**SEC. 6.** That the Volunteer Army and the militia of the States when called into the service of the United States shall be organized under, and shall be subject to, the

Regular Army, regulations, etc., to govern.



laws, orders, and regulations governing the Regular Army: *Provided*, That each regiment of the Volunteer Army shall have one surgeon, two assistant surgeons, and one chaplain, and that all the regimental and company officers shall be appointed by the governors of the States in which their respective organizations are raised: *Provided further*, That when the members of any company, troop, battery, battalion or regiment of the organized militia of any State shall enlist in the Volunteer Army in a body, as such company, troop, battery, battalion or regiment, the regimental, company, troop, battery and battalion officers in service with the militia organization thus enlisting may be appointed by the governors of the States and Territories, and shall when so appointed be officers of corresponding grades in the same organization when it shall have been received into the service of the United States as a part of the Volunteer Army: *Provided further*, That the President may authorize the Secretary of War to organize companies, troops, battalions, or regiments, possessing special qualifications, from the nation at large not to exceed three thousand men, under such rules and regulations, including the appointment of the officers thereof, as may be prescribed by the Secretary of War.

*Provisos.*  
Regimental surgeons, chaplains, Volunteer Army.  
—appointment of officers.  
Enlistment of organized militia in Volunteer Army.

—status of officers, when appointed.

Organizations of men with special qualifications.

SEC. 7. That all organizations of the Volunteer Army shall be so recruited from time to time as to maintain them as near to their maximum strength as the President may deem necessary, and no new organization shall be accepted into service from any State unless the organizations already in service from such State are as near to their maximum strength of officers and enlisted men as the President may deem necessary.

Maximum strength.

SEC. 8. That all returns and muster rolls of organizations of the Volunteer Army and of militia organizations while in the service of the United States shall be rendered to the Adjutant-General of the Army, and upon the disbandment of such organizations the records pertaining to them shall be transferred to and filed in the Record and Pension Office of the War Department. And Regimental and all other Medical officers serving with volunteer troops in the field or elsewhere shall keep a daily record of all soldiers reported sick, or wounded as shown by the morning calls or reports, and shall deposit such reports with other reports provided for in this section with the Record and Pension office as provided herein, for other reports, returns and muster rolls.

Returns and muster rolls, Volunteer Army.

Record of sick and wounded.

SEC. 9. That in time of war, or when war is imminent, the troops in the service of the United States, whether belonging to the Regular or Volunteer Army or to the militia, shall be organized, as far as practicable, into divisions of three brigades, each brigade to be composed of three or more regiments; and whenever three or more divisions are assembled in the same army the President is authorized to organize them into army corps, each corps to consist of not more than three divisions.

Organization of divisions of three brigades in time of war.

Army corps.

SEC. 10. That the staff of the commander of an army corps shall consist of one assistant adjutant-general, one

—staff of commander.

chief engineer, one inspector-general, one chief quartermaster, one chief commissary of subsistence, one Judge Advocate, and one chief surgeon, who shall have, respectively, the rank of lieutenant-colonel; one assistant adjutant-general, who shall have the rank of captain, and the aids-de-camp authorized by law. The staff of the commander of a division shall consist of one assistant adjutant-general, one engineer officer, one inspector-general, one chief quartermaster, one chief commissary of subsistence, and one chief surgeon, who shall have, respectively, the rank of major, and the aids-de-camp authorized by law. The staff of the commander of a brigade shall consist of one assistant adjutant-general, one assistant quartermaster, and one commissary of subsistence, each with the rank of captain, one surgeon, and the aids-de-camp authorized by law. The staff officers herein authorized for the corps, division, and brigade commanders may be appointed by the President, by and with the advice and consent of the Senate, as officers of the Volunteer Army, or may be assigned by him, in his discretion, from officers of the Regular Army or the Volunteer Army, or of the militia in the service of the United States: *Provided*, That when relieved from such staff service said appointments or assignments shall terminate.

of commander  
of a division.

of commander  
of a brigade.

Appointment  
of staff officers.

*Proviso.*  
Termination  
of appointment.

Appointment  
of major and  
brigadier gen-  
erals, Volunteer  
Army.

*Proviso.*  
Aids-de-camp.

Status of offi-  
cers, etc., Vol-  
unteer Army.

Appointment  
of officers of  
Regular to Vol-  
unteer Army.

*Proviso.*  
Limit.

Military  
boards to deter-  
mine efficiency  
of officers.

*Proviso.*  
Rank of mem-  
bers of board.

SEC. 11. That the President is hereby authorized to appoint in the Volunteer Army, by and with the advice and consent of the Senate, not exceeding one major-general for each organized army corps and division, and one brigadier-general for each brigade, and any officer so selected and appointed from the Regular Army shall be entitled to retain his rank therein: *Provided*, That each general officer of the Volunteer Army shall be entitled to the number of aids-de-camp authorized for an officer of like grade in the Regular Army.

SEC. 12. That all officers and enlisted men of the Volunteer Army, and of the militia of the States when in the service of the United States, shall be in all respects on the same footing as to pay, allowances, and pensions as that of officers and enlisted men of corresponding grades in the Regular Army.

SEC. 13. That the governor of any State or Territory may, with the consent of the President, appoint officers of the Regular Army in the grades of field officers in organizations of the Volunteer Army, and officers thus appointed shall be entitled to retain their rank in the Regular Army: *Provided*, That not more than one officer of the Regular Army shall hold a commission in any one regiment of the Volunteer Army at the same time.

SEC. 14. That the general commanding a separate department or a detached army is authorized to appoint from time to time military boards of not less than three nor more than five Volunteer officers of the Volunteer Army to examine into the capacity, qualifications, conduct, and efficiency of any commissioned officer of said army within his command: *Provided*, That each member of the board shall be superior in rank to the officer whose

qualifications are to be inquired into: *And provided further*, That if the report of such a board is adverse to the continuance of any officer, and the report be approved by the President, such officer shall be discharged from service in the Volunteer Army, at the discretion of the President, with one month's pay and allowances.

*Adverse report.*

SEC. 15. That all Acts and parts of Acts inconsistent with the provisions hereof be, and the same are hereby, repealed.

*Repeal.*

CHAP. 189.—An Act Declaring that war exists between the United States of America and the Kingdom of Spain.

April 25, 1898.

[Public, No. 69.]  
30 Stat. L., p. 364.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, First. That war be, and the same is hereby, declared to exist, and that war has existed since the twenty-first day of April, anno Domini eighteen hundred and ninety-eight, including said day, between the United States of America and the Kingdom of Spain.

*Declaration that war exists between the United States and Spain.*

Second. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry this Act into effect.

*Land and naval forces to be used.*

CHAP. 191.—An Act For the better organization of the line of the Army of the United States.

April 26, 1898.

[Public, No. 70.]  
30 Stat. L., p. 364.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That hereafter the peace organization of each regiment of infantry now in service shall embrace one colonel, one lieutenant-colonel, two majors, ten captains, twelve first lieutenants, ten second lieutenants, one sergeant-major, one quartermaster-sergeant, one chief musician, two principal musicians, two battalions of four companies each, and two skeleton or unmanned companies; the organized companies to be constituted as now authorized by law: *Provided*, That nothing herein contained shall be construed as abolishing the office of chaplain in each regiment of colored troops: *And provided further*, That the vacancies in the grade of major created by this section shall be filled by promotion according to seniority in the infantry arm.

*Army. Reorganization of the line. Peace organization infantry regiments. R. S., sec. 1106, p. 204, amended.*

*R. S., sec. 1107, p. 204.*

*Proviso. Chaplains colored regiments. R. S., sec. 1121, p. 205. Vacancies in grade of major, how filled.*

SEC. 2. That upon a declaration of war by Congress, or a declaration by Congress that war exists the President, in his discretion, may establish a third battalion for each infantry regiment, consisting of four companies, to be supplied by manning the two skeleton companies and by organizing two additional companies. The vacancies of commissioned officers in the additional companies shall be filled by promotions by seniority in the infantry arm, and by appointments in accordance with existing law;

*War organization, addition of third battalion.*

*Vacancies of commissioned officers.*

and hereafter all vacancies occurring in the cavalry, artillery, and infantry above the grade of second lieutenant shall, subject to the examination now required by law, be filled by promotion according to seniority from the next lower grade in each arm.

—above second lieutenant.

SEC. 3. That upon a declaration of war by Congress, or a declaration of Congress that war exists, the enlisted strength of a company, troop, and battery, respectively, may, in the discretion of the President, be increased to comprise not exceeding:

War organization of companies of infantry.

Provisos. State, etc., troops.

For each company of infantry: One first sergeant, one quartermaster-sergeant, four sergeants, twelve corporals, two musicians, one artificer, one wagoner, and eighty-four privates; total enlisted, one hundred and six: *Provided*, That in the event of a call by the President for either volunteers or the militia of the country the President is authorized to accept the quotas of troops of the various States and Territories, including the District of Columbia and Indian Territory, as organized under the laws of the States and Territories, including the District of Columbia, in companies, troops, and batteries, each to contain so far as practicable the number of enlisted men authorized in this Act for each arm of the service, and battalions of not less than three such companies and regiments of not less than ten nor more than twelve such companies. But this proviso shall apply to companies, troops, batteries, battalions, and regimental organizations and none other: *Provided further*, That in volunteer organizations received into the service under this Act and existing laws,

Volunteer service.

—hospital stewards  
—troop of cavalry.

one hospital steward shall be authorized for each battalion.

For each troop of cavalry: One first sergeant, one quartermaster-sergeant, six sergeants, eight corporals, two farriers and blacksmiths, two trumpeters, one saddler, one wagoner, seventy-eight privates; total enlisted, one hundred.

—battery of heavy artillery.

For each battery of heavy artillery: One first sergeant, twenty-two sergeants, ten corporals, two musicians, two artificers, one wagoner, one hundred and sixty-two privates; total enlisted, two hundred.

—field artillery.

For each battery of field artillery: One first sergeant, one quartermaster-sergeant, one veterinary sergeant, six sergeants, fifteen corporals, two farriers, two artificers, one saddler, two musicians, one wagoner, one hundred and forty-one privates; total enlisted, one hundred and seventy-three.

—company of engineers.

For each company of engineers: One first sergeant, ten sergeants, ten corporals, two musicians, sixty-four first-class privates, sixty-three second-class privates; total enlisted, one hundred and fifty. In time of war there shall be added to the Signal Corps of the Army ten corporals, one hundred first-class privates, and forty second-class privates, who shall have the pay and allowances of engineer troops of the same grade.

—Signal Corps.

R. S., sec. 1240, p. 322.

Pay, etc., quartermaster and veterinary sergeants. R. S., sec. 1230, p.

The quartermaster and veterinary sergeants provided for in this section shall have the pay and allowances of sergeants of their respective arms.

SEC. 4. That when recruited to their war strength the President may add one second lieutenant to each battery of artillery; such offices to be filled by appointments, as prescribed by existing law. Second lieutenant, artillery battery.

SEC. 5. That in time of war the President shall cause the batteries of artillery authorized by law to be organized as heavy or field artillery, as in his judgment the exigencies of the service may require. Organization of batteries as heavy or field, etc.

SEC. 6. That in time of war the pay proper of enlisted men shall be increased twenty per centum over and above the rates of pay as fixed by law: *Provided*, That in war time no additional increased compensation shall be allowed to soldiers performing what is known as extra or special duty: *Provided further*, That any soldier who deserts shall, besides incurring the penalties now attaching to the crime of desertion, forfeit all right to pension which he might otherwise have acquired. Pay of enlisted men during war. R. S., secs. 1280, etc., p. 222. *Provisos.* No extra-duty pay. R. S., sec. 1287, p. 223, vol. 23, p. 350. Penalties for desertion.

SEC. 7. That in time of war every officer serving with troops operating against an enemy who shall exercise, under assignment in orders issued by competent authority, a command above that pertaining to his grade, shall be entitled to receive the pay and allowances of the grade appropriate to the command so exercised: *Provided*, That a rate of pay exceeding that of a brigadier-general shall not be paid in any case by reason of such assignment: *Provided further*, That at the end of any war in which the United States may become involved the Army shall be reduced to a peace basis by the transfer in the same arm of the service or absorption by promotion or honorable discharge under such regulations as the Secretary of War may establish of supernumerary commissioned officers and the honorable discharge or transfer of supernumerary enlisted men; and nothing contained in this Act shall be construed as authorizing a permanent increase of the commissioned or enlisted force of the Regular Army beyond that now provided by the law in force prior to the passage of this Act, except as to the increase of twenty-five majors provided for in section one hereof. Pay of officer holding command higher than his grade, etc. *Provisos.*—limit. Reduction of Army to peace basis. Permanent increase of Army not authorized. —except.

**CHAP. 234.**—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for other purposes. May 4, 1898. [Public, No. 76.] 30 Stats. L., p. 309.

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PAY OF THE NAVY.

\* \* \* \* \*

And whenever, within the next twelve months, an exigency may exist which, in the judgment of the President, renders their services necessary, he is hereby authorized to appoint from civil life and commission such officers of the line and staff, not above the rank or relative rank of commander, and warrant officers including warrant machinists, and such officers of the Marine Corps not above the rank of captain, to be appointed from the non-commissioned officers of the Corps and from civil life, as may Exigency appointments from civil life.



*Provision.* be requisite: *Provided*, That such officers shall serve only  
*-termination* during the continuance of the exigency under which their  
*of service.* services are required in the existing war: *And provided*  
*-established* *further*, That such officers so appointed shall be assigned  
*grades.* to duty with rank and pay of the grades established by  
*Pay of war-* existing law; and warrant machinists shall be paid at the  
*rant machinists.* rate of one thousand two hundred dollars per annum.  
*Enlistment of* To enable the Secretary of the Navy to enlist, at any  
*temporary* time after the passage of this Act, as many additional  
*force.* seamen, landsmen, and boys as he may deem necessary  
*-seamen, etc.* to man the ships of the Navy, or in use by the Navy, as a  
temporary force therefor during the existing war, and for  
pay of the same and of the temporary additional officers and  
warrant machinists hereinbefore authorized, eight million  
eight hundred and thirty thousand dollars, or so much  
thereof as may be necessary; and to enable the Secretary  
of the Navy to enlist, at any time after the passage of this  
*-Marine Corps.* Act, the following additional force for the Marine Corps as a  
temporary force during the existing war, namely, not more  
than sixty gunnery sergeants with rank of first sergeants,  
not more than eighty corporals, and not more than one  
thousand five hundred privates, and for pay of the same,  
including the temporary additional officers hereinbefore  
authorized, and for provisions, clothing, fuel, military  
stores, transportation and recruiting, and for contingent  
expenses, on account of said additional force, five hun-  
dred and sixty-seven thousand nine hundred dollars, or  
so much thereof as may be necessary.

\* \* \* \* \*

BUREAU OF MEDICINE AND SURGERY.

\* \* \* \* \*

*-temporary* The President is hereby authorized to appoint for tem-  
*service of act-* porary service twenty-five acting assistant surgeons, who  
*ing assistants.* shall have the relative rank and compensation of assistant  
surgeons.

\* \* \* \* \*

BUREAU OF SUPPLIES AND ACCOUNTS.

\* \* \* \* \*

*Increase in* ASSISTANT PAYMASTERS: The active list of assistant  
*number of as-* paymasters of the pay corps shall hereafter consist of  
*stant paymas-* twenty-five.  
*ters*

\* \* \* \* \*

May 4, 1898. **CHAP. 235.**—An Act Making appropriations to supply deficien-  
cies in the appropriations for support of the Army for the fiscal year  
ending September 30, 1898, and for other purposes.  
Public No. 77  
32d Stat. 1, 191

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MILITARY ESTABLISHMENT.

\* \* \* \* \*

MEDICAL DEPARTMENT.

**Supplies, Vol-** For the purchase of medical supplies for the Volunteer  
**unteer Army.** Army of the United States Army, fifty thousand dollars.



ENGINEER DEPARTMENT.

\* \* \* \* \*

For expeditionary force to Cuba, namely: For construction plant fifty-two thousand two hundred and fifty dollars;

For intrenching tools, thirteen thousand and ninety-five dollars;

For portable electric outfit, twenty-three thousand two hundred and twenty-five dollars;

For surveying and drawing instruments, sixteen thousand four hundred and sixty-four dollars;

For the procurement of field maps printed on linen with indelible ink, three thousand dollars;

For unforeseen contingent expenses which involve immediate expenditure for purposes of imperative urgency, Contingent expenses. forty-two thousand dollars; in all, one hundred and fifty thousand and thirty-four dollars, to be expended under direction of the Major-General Commanding the Army, and to be available until expended.

TORPEDOES FOR HARBOR DEFENSE.

Torpedoes for harbor defense.

For the purchase of additional torpedo material, fifty thousand dollars.

For expenses of planting torpedoes now in progress at all principal harbors, three hundred thousand dollars.

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The appropriations herein made, except as otherwise provided, shall continue available until January first, Appropriations, how long available. eighteen hundred and ninety-nine.

**CHAP. 294.**—An Act To provide for a volunteer brigade of engineers and an additional force of ten thousand enlisted men specially accustomed to tropical climates. May 11, 1898. [Public, No. 90.] 30 Stats. L., p. 405.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That,* in addition to the volunteer forces provided for by the Act of April twenty-second, eighteen hundred and ninety-eight, entitled “An Act to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes,” the President may authorize the Secretary of War to organize, under the terms and conditions of the aforesaid Act, a volunteer brigade of engineers from the nation at large, to consist of not more than three regiments and not more than three thousand five hundred men, possessing the special qualifications necessary for engineer troops, under such rules and regulations, including the appointment of the officers thereof, as may be prescribed by the Secretary of War: *Provided,* Volunteer Army. Organization of brigade of engineers. That not to exceed three officers of the Corps of Engineers of the Regular Army may hold volunteer commissions in any one regiment of the volunteer brigade of engineers at the same time: *And provided further,* That all officers Provisos. Regular Army officers; limit. Appointment of officers.

shall be appointed by the President and with the consent of the Senate.

Organization  
of force im-  
mune to tropical  
diseases.

SEC. 2. And the President is further empowered, during the present war, under the Act of April twenty-second, eighteen hundred and ninety-eight, to authorize the Secretary of War to organize an additional volunteer force of not exceeding ten thousand enlisted men possessing immunity from diseases incident to tropical climates; the officers thereof to be appointed by the President, by and with the advice and consent of the Senate.

Apportion-  
ment.

SEC. 3. The provisions of the act of April twenty-second, eighteen hundred and ninety-eight, which provide that volunteers called out by proclamation of the President shall be apportioned to the several States, and the provisions of said Act which provide that the Governors of the States shall appoint officers shall not apply to this Act.

Appointment  
of officers.

May 12, 1898.  
[Public, No. 92.]  
30 Stats. L., p.  
403.

**CHAP. 296.**—An Act To increase the number of surgeons in the United States Army.

Army.  
Assistant sur-  
geons, number  
increased.  
Vol. 28, p. 403.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the number of medical officers of the Army be increased by the addition of fifteen assistant surgeons with the rank of first lieutenant, to be appointed after examination by an army medical examining board, in accordance with existing regulations.*

Contract sur-  
geons.

SEC. 2. That in emergencies the Surgeon-General of the Army, with the approval of the Secretary of War, may appoint as many contract surgeons as may be necessary, at a compensation not to exceed one hundred and fifty dollars per month.

May 18, 1898.  
[Public, No. 100.]  
30 Stats. L., p.  
417.

**CHAP. 342.**—An Act To organize a volunteer signal corps.

Army.  
Volunteer sig-  
nal corps.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to organize a volunteer signal corps, for service during the existing war, which corps shall receive the same pay and allowances as are authorized by law for the Signal Corps of the Army.*

—pay.

—organization.

SEC. 2. The volunteer signal corps shall consist of one colonel, one lieutenant-colonel, one major as disbursing officer, and such other officers and men as may be required, not exceeding one major for each army corps, and two captains, two first lieutenants, two second lieutenants, five first-class sergeants, ten sergeants, ten corporals, and thirty first-class privates to each organized division of troops: *Provided*, That two-thirds of all officers below the rank of major and a like proportion of the enlisted men shall be skilled electricians or telegraph operators.

*Proriso.*  
Electricians  
and telegraph  
operators.

**CHAP. 345.**—An Act To provide assistance to the inhabitants of Cuba, and arms, munitions, and military stores to the people of the Island of Cuba, and for other purposes. May 18, 1898.  
[Public.No.103.]  
30 Stats. L., p.  
419.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That while serving in Cuba during the existing war, officers of the Army of the United States exercising separate commands may, by special order, cause subsistence, medical, and quartermaster's supplies to be issued to, and other aid rendered to, inhabitants of the Island of Cuba who are destitute and in imminent danger of perishing unless they receive the same.* Cuba.  
Furnishing of  
supplies to peo-  
ple.

**SEC. 2.** That the President, and general officers commanding troops in Cuba, are hereby authorized to furnish to the Cuban people such arms, ammunition, equipments, and military stores and supplies as they may require in order to increase their effective fighting force in the existing war against Spain. —of arms, etc.

**CHAP. 346.**—An Act To provide for the increased volume of work in the Adjutant-General's Department of the Army, due to the calling out of volunteers and the increase of the Regular Army. May 18, 1898.  
[Public.No.104.]  
30 Stats. L., p.  
419.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized, by and with the advice and consent of the Senate, to appoint one assistant adjutant-general with the rank of colonel, and one assistant adjutant-general with the rank of major: Provided, That the vacancy created in the grade of colonel by this Act shall be filled by the promotion of officers now in the Adjutant-General's Department according to seniority, and that upon the mustering out of the volunteer forces and the reduction of the Regular Army to a peace basis no appointments shall be made in the Adjutant-General's Department until the number of officers in each grade in that Department shall be reduced to the number authorized by the law in force prior to the passage of this Act.* Army.  
Appointment  
of additional as-  
sistant adju-  
tants-general.  
  
Proviso.  
Vacancy in  
grade of colonel,  
how filled, etc.

**CHAP. 363.**—An Act Providing for the payment and maintenance of volunteers during the interval between their enrollment and muster into the United States service, and for other purposes. May 26, 1898.  
[Public.No.109.]  
30 Stats. L., p.  
420.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled; That the pay and allowance of such of the volunteers as are received into the service of the United States under the Act of Congress approved April twenty-second, eighteen hundred and ninety-eight, and the Acts supplemental thereto, shall be deemed to commence from the day on which they joined for duty and are enrolled at the battalion, regimental, or State rendezvous: Provided, That troops about to embark for service in the Philippine Islands may, in the discretion of the Secretary of War, be paid one month's wages in advance prior to embarkation.* Volunteer  
Army.  
Pay of volun-  
teers between  
enrollment and  
muster.  
  
Proviso.  
Troops for  
Philippine  
Islands.

May 28, 1898. **CHAP. 367.**—An Act To amend sections ten and thirteen of an Act entitled “An Act to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes,” approved April twenty-second, eighteen hundred and ninety eight.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section ten of an Act of Congress entitled “An Act to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes,” approved April twenty-second, eighteen hundred and ninety-eight, be, and the same is hereby, amended by adding at the end thereof the following, to wit: *And provided,* That officers of the Regular Army shall be eligible for such staff appointments, and shall not be held to vacate their offices in the Regular Army by accepting the same, but shall be entitled to receive only the pay and allowances of their staff rank: *Provided further,* That officers of the Regular Army receiving commissions in regiments of engineers, or any other commissions in the Volunteer Army, shall not be held to vacate their offices in the Regular Army by accepting the same, but shall be entitled to receive only the pay and allowances of such volunteer rank while serving as such.

**SEC. 2.** That section thirteen of said Act is amended so as to read as follows:

That the governor of any State or Territory may, with the consent of the President, appoint officers of the Regular Army in the grades of field officers in organizations of the Volunteer Army, and the President may appoint officers of the Regular Army in the grade of field officers in organizations of the Volunteer Army raised in the District of Columbia and the Indian Territory, and in the regiments possessing special qualifications, provided for in section six of an Act of Congress approved April twenty-second, eighteen hundred and ninety-eight, and in section two of the Act of Congress approved May eleventh, eighteen hundred and ninety-eight; and officers thus appointed shall be entitled to retain their rank in the Regular Army:

*Provided,* That not more than one officer of the Regular Army shall hold a commission in any one regiment of the Volunteer Army at the same time: *And provided further,* That officers so appointed shall be entitled to receive only the pay and allowances of their rank in the volunteer organization.

May 31, 1898. **CHAP. 368.**—An Act Making appropriations to supply deficiencies in the appropriations for the payment of pensions, and for other objects, for the fiscal year eighteen hundred and ninety-eight, and for other purposes.

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WAR DEPARTMENT.

\* \* \* \* \*

No extra-duty pay. That no money appropriated by the “Act making appropriations to supply deficiencies in the appropriations

for support of the Army for the fiscal year eighteen hundred and ninety-eight, and for other purposes," approved May fourth, eighteen hundred and ninety-eight, shall be paid as additional increased compensation to soldiers performing in time of war what is known as extra or special duty, such payment being prohibited by the "Act for the better organization of the line of the Army of the United States," approved April twenty-sixth, eighteen hundred and ninety-eight.

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**CHAP. 371.**—An Act To suspend certain provisions of law relating to hospital stewards in the United States Army, and for other purposes.

June 2, 1898.  
[Public.No.116.]  
30 Stats. L., p.  
428.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all provisions of law limiting the number of hospital stewards in service at any one time to one hundred, and requiring that a person to be appointed a hospital steward shall first demonstrate his fitness therefor by actual service of not less twelve months as acting hospital steward, and that limit the amount to be expended for the pay of civil employees in the Medical Department of the Army in one year to forty thousand dollars be, and the same are hereby, suspended during the existing war: Provided, That the increase of hospital stewards under this Act shall not exceed one hundred.*

Army.  
Hospital stew-  
ards.  
Suspension of  
certain provi-  
sions of law re-  
lating to.  
  
Proviso.  
Limit in num-  
ber of.

**CHAP. 388.**—An Act To authorize the establishment of post-offices at military posts or camps.

June 6, 1898.  
[Public.No.122.]  
30 Stats. L., p.  
432.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That during the continuance of the existing war the Postmaster-General may, in his discretion, establish a temporary post-office at any military post or camp for the purpose of supplying the officers and troops there encamped with mails, the location of which post-office may at any time be changed to any other post or camp. On the establishment of such post-office he shall cooperate with the Secretary of War or officer commanding such post or camp for the purpose of securing the detail of an officer of the Regular or Volunteer Army of suitable rank to act as postmaster, who shall, when the exigency will permit, execute a bond to the United States as such, and of a sufficient number of noncommissioned officers and privates to act as clerks in said post-office, who shall serve as such without additional salary, pay, or compensation other than that attaching to their rank and position in the Army. Each of said persons shall, before entering upon the discharge of his duties, take the oath prescribed for persons employed in the postal service. In any case where it is deemed impracticable by the military authorities to detail persons from the Army to act as postmaster or clerks the Post-*

Army.  
Post-offices at  
camps, etc.  
  
Detail of offi-  
cer as postmas-  
ter.  
—bond of.  
  
Clerks.  
  
—oath.  
  
Civilian post-  
master.



—compensation of. master-General is authorized to appoint a civilian as postmaster, and also to make a special order allowing to him reasonable compensation for clerical services and to meet the necessary expenses of said office, as well as a proportionate increase of salary to the postmaster during the period of such extraordinary business as may attach to his office, under the provisions of section thirty-eight hundred and sixty-three, Revised Statutes, payable out of the appropriations for the postal service. He may also provide for the issue and payment of money orders at any post-office established under the provisions of this Act, after the postmaster shall have given bond as required by law.

R. S., sec. 3863, p. 754. Money orders.

Post-office supplies. SEC. 2. That the Postmaster-General shall supply to post-offices referred to in the preceding section all necessary postage stamps, stamped envelopes, postal cards, and other supplies of whatever description. He may also prescribe regulations for the conduct of the business at such post-offices in conformity, so far as the same may be applicable, to the regulations relating to the ordinary postal service.

Regulations.

Branch post-offices. SEC. 3. That in any case where, in the judgment of the Postmaster-General, any military post or camp can be better and more economically supplied by a branch post-office, he may, without reference to its distance from the main office, establish the same, and meet the expenses thereof by special order, as in the case of post-offices referred to in the preceding section.

June 7, 1898. CHAP. 392.—An Act To suspend the operation of certain provisions of law relating to the War Department, and for other purposes.  
[Public No. 120.]  
30 Stats. L., p. 433.

Army. Suspension of certain provisions of law. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the operation of the following provisions of law be, and is hereby, suspended in the discretion of the Secretary of War during the existing war, namely:*

Limit of draught animals. First. The provision of the first section of the Act entitled "An Act making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-nine, and for other purposes," in the following words:

"*Provided*, That hereafter no part of this appropriation shall be expended in the purchase for the Army of draught animals until the number on hand shall be reduced to five thousand, and thereafter shall only be expended for the purchase of a number sufficient to keep the supply up to five thousand."

Second. The provisions of the first section of the Act entitled "An Act making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for other purposes," in the following words:

Quartermaster's Department. —printing for, etc. "*Provided*, That hereafter no part of the appropriations for the Quartermaster's Department shall be expended on printing, unless the same shall be done by contract, after



due notice and competition, except in such cases as the emergency will not admit of the giving notice for competition: *Provided further*, That after advertisement all the supplies for the use of the various departments and posts of the Army, and of the branches of the Army service, shall hereafter be purchased where the same can be purchased the cheapest, in the markets of the United States, quality and cost of transportation and the interest of the Government considered, except that purchases may be made in open market, in the manner common among business men, when the aggregate amount required does not exceed two hundred dollars, but every such purchase shall be immediately reported to the Secretary of War.”

And the words:

“*Provided*, That the number of horses purchased under this appropriation, added to the number on hand, shall not at any time exceed the number of enlisted men and Indian scouts in the mounted service, and that no part of this appropriation shall be paid out for horses not purchased by contract after competition duly invited by the Quartermaster’s Department, and an inspection by such Department, all under the direction and authority of the Secretary of War.”

And the words:

“*Provided*, That no more than one million dollars of the sums appropriated by this Act shall be paid out for the services of civilian employees in the Quartermaster’s Department, including those heretofore paid out of the funds appropriated for regular supplies, incidental expenses, barracks and quarters, army transportation, clothing, camp and garrison equipage; that no employee paid therefrom shall receive a salary more than one hundred and fifty dollars per month, unless the same shall be specially fixed by law.”

Third. So much of the Act approved March fifteenth, eighteen hundred and ninety-eight, entitled “An Act making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine,” under the heading Ordnance Department, as provides that not more than sixty-five thousand dollars of the money appropriated for the Ordnance Department in all its branches shall be applied to the payment of civilian clerks in said Department.

*And be it further enacted*, That during the existing war materials required by the War Department may, in the discretion of the Secretary of War, be purchased abroad and shall be admitted free of duty.

*And be it further enacted*, That during the existing war the Bureau of Ordnance of the War Department is authorized to purchase without advertisement such ordnance and ordnance stores as are needed for immediate use, and when such ordnance and ordnance stores are to be manufactured then to make contracts without advertisement for such stores to be delivered as rapidly as manufactured.

June 8, 1898. **CHAP. 395.**—An Act Making appropriations to supply urgent deficiencies in the appropriations for the support of the Military and Naval establishments for the fiscal year eighteen hundred and ninety-eight, and for other purposes.  
[Public.No.129.]  
30 Stats. L., p. 437.

\* \* \* \* \*

MILITARY ESTABLISHMENT.

Army. CONTINGENCIES OF THE ARMY.

**Expenses** For contingent expenses of the Army, incident to the  
**Philippine ex-** expedition to the Philippine Islands, to be expended under  
**pedition.** the direction of the commanding officer of the United States military forces at the Philippine Islands, in his discretion, for such purposes as he may deem best in the execution of his duties under the orders of the President, and for such objects as are not now appropriated for, to be available until expended, one hundred thousand dollars.

**Expedition-** **EXPEDITIONARY FORCE TO CUBA.**  
**ary force to**  
**Cuba.**

**Road con-** For machinery and equipment for the construction and  
**struction, etc.** repair of roads, twenty-five thousand dollars.

For the construction and equipment of military railroads, two hundred and twenty-five thousand dollars.

**Tools, etc.** For additional intrenching tools, electric appliances, photographic and topographic outfit, instruments, maps, manuals, and special and technical services, fifty thousand dollars.

**Contingen-** For contingencies involving immediate expenditures of  
**cies.** imperative urgency that can not be specified in advance, to be expended under the direction of the Major-General Commanding the Army, fifty thousand dollars.

\* \* \* \* \*

Torpedoes. TORPEDOES FOR HARBOR DEFENSE.

**Manila Har-** For torpedo defense of Manila Harbor, Philippine  
**bor.** Islands, to be available until expended, one hundred and fifty thousand dollars.

\* \* \* \* \*

NAVAL ESTABLISHMENT.

NAVY DEPARTMENT EMERGENCY FUND.

**Navy.** For special necessities of the various naval squadrons; for the charter or purchase of suitable vessels; for the increase of small craft attached to the various squadrons, and for replacing such as may be lost or destroyed; for maintaining and destroying communication; and for obtaining information, ten million dollars, of which sum not more than five hundred thousand dollars may be used to meet contingencies that can not be foreseen, but which constantly arise under existing conditions.

\* \* \* \* \*

BUREAU OF SUPPLIES AND ACCOUNTS.

\* \* \* \* \*

For purchase of clothing and small stores for issue to the naval service, the present fund being inadequate to meet the requirements of the service at this time, to be added to the "Clothing and small stores fund," one million dollars. Clothing, etc.

\* \* \* \* \*

That the appropriations made by this Act, except as otherwise provided, shall remain available for payment of liabilities which may be incurred to and including December thirty-first, eighteen hundred and ninety-eight. Appropriations available until December 31, 1898.

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**CHAP. 446.**—An Act Making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine. June 13, 1898.  
[Public, No. 131.]  
30 Stats. L., p. 440.

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OFFICE OF THE FIRST ASSISTANT POSTMASTER-GENERAL.

\* \* \* \* \*

For the establishment and maintenance during the existing war, in the discretion of the Postmaster-General, of temporary post-offices at military posts or camps for the purpose of supplying the officers and troops there encamped with mails, the location of any such post-office to be changed to any other post or camp, in the discretion of the Postmaster-General, fifty thousand dollars. Temporary post-offices at camps.

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**CHAP. 458.**—An Act For the protection of homestead settlers who enter the military or naval service of the United States in time of war. June 16, 1898.  
[Public, No. 140.]  
30 Stats. L., p. 473.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* in every case in which a settler on the public land of the United States under the homestead laws enlists or is actually engaged in the Army, Navy, or Marine Corps of the United States as private soldier, officer, seaman, or marine, during the existing war with Spain, or during any other war in which the United States may be engaged, his services therein shall, in the administration of the homestead laws, be construed to be equivalent to all intents and purposes to residence and cultivation for the same length of time upon the tract entered or settled upon; and hereafter no contest shall be initiated on the ground of abandonment, nor allegation of abandonment sustained against any such settler, unless it shall be alleged in the preliminary affidavit or affidavits of contest, and proved at the hearing in cases hereafter initiated, that the settler's alleged absence from the land was not due to his employ- Public lands.  
Absence of settler enlisted as soldier, etc., to be equivalent to residence, etc.

*Proviso.*  
Discharge for  
disability.

One year's  
residence neces-  
sary.

ment in such service: *Provided*, That if such settler shall be discharged on account of wounds received or disability incurred in the line of duty, then the term of his enlistment shall be deducted from the required length of residence without reference to the time of actual service: *Provided further*, That no patent shall issue to any homestead settler who has not resided upon, improved, and cultivated his homestead for a period of at least one year after he shall have commenced his improvements.

June 17, 1898.  
[Public.No.143.]  
30 Stats. L., p.  
474.

Navy.  
Organization  
of hospital  
corps.

**CHAP. 463.**—An Act To organize a hospital corps of the Navy of the United States; to define its duties and regulate its pay.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a hospital corps of the United States Navy is hereby established, and shall consist of pharmacists hospital stewards, hospital apprentices (first class), and hospital apprentices; and for this purpose the Secretary of the Navy is empowered to appoint twenty-five pharmacists with the rank, pay, and privileges of warrant officers, removable in the discretion of the Secretary, and to enlist, or cause to be enlisted, as many hospital stewards, hospital apprentices (first class), and hospital apprentices as in his judgment may be necessary, and to limit or fix the number, and to make such regulations as may be required for their enlistment and government. Enlisted men in the Navy or the Marine Corps shall be eligible for transfer to the hospital corps, and vacancies occurring in the grade of pharmacist shall be filled by the Secretary of the Navy by selection from those holding the rate of hospital steward.

Duties, etc.

**SEC. 2.** That all necessary hospital and ambulance service at naval hospitals, naval stations, navy-yards, and marine barracks, and on vessels of the Navy, Coast Survey, and Fish Commission, shall be performed by the members of said corps, and the corps shall be permanently attached to the Medical Department of the Navy, and shall be included in the effective strength of the Navy and be counted as a part of the enlisted force provided by law, and shall be subject to the laws and regulations for the government of the Navy.

Pay.

**SEC. 3.** That the pay of hospital stewards shall be sixty dollars a month, the pay of hospital apprentices (first class) thirty dollars a month, and the pay of hospital apprentices twenty dollars a month, with the increase on account of length of service as is now or may hereafter be allowed by law to other enlisted men in the Navy.

—longevity.

Benefit of laws,  
etc.

**SEC. 4.** That all benefits derived from existing laws, or that may hereafter be allowed by law, to other warrant officers or enlisted men in the Navy shall be allowed in the same manner to the warrant officers or enlisted men in the hospital corps of the Navy.

Repeal.

**SEC. 5.** That all acts and parts of acts, so far as they conflict with the provisions of this Act, are hereby repealed.

**CHAP. 469.**—An Act To amend an Act entitled “An Act to promote the administration of justice in the Army,” approved October first, eighteen hundred and ninety, and for other purposes. June 18, 1898.  
[Public, No. 149.]  
30 Stats. L., p. 483.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled an “An Act to promote the administration of justice in the Army,” approved October first, eighteen hundred and ninety, as supplemented and amended by subsequent legislation, be, and the same is hereby, amended so as to read as follows: Army.  
Summary courts for trial of offenses of enlisted men.

“That the commanding officer of each garrison, fort, or other place, regiment or corps, detached battalion, or company, or other detachment in the Army, shall have power to appoint for such place or command, or in his discretion for each battalion thereof, a summary court to consist of one officer to be designated by him, before whom enlisted men who are to be tried for offenses, such as were prior to the passage of the Act ‘to promote the administration of justice in the Army,’ approved October first, eighteen hundred and ninety, cognizable by garrison or regimental courts-martial, and offenses cognizable by field officers detailed to try offenders under the provisions of the eightieth and one hundred and tenth articles of war, shall be brought to trial within twenty-four hours of the time of the arrest, or as soon thereafter as practicable, except when the accused is to be tried by general court-martial; but such summary court may be appointed and the officer designated by superior authority when by him deemed desirable; and the officer holding the summary court shall have power to administer oaths and to hear and determine such cases, and when satisfied of the guilt of the accused adjudge the punishment to be inflicted, which said punishment shall not exceed confinement at hard labor for one month and forfeiture of one month’s pay, and, in the case of a noncommissioned officer, reduction to the ranks in addition thereto; that there shall be a summary court record kept at each military post and in the field at the headquarters of the proper command, in which shall be entered a record of all cases heard and determined and the action had thereon; and no sentence adjudged by said summary court shall be executed until it shall have been approved by the officer appointing the court, or by the officer commanding for the time being: *Provided*, That when but one commissioned officer is present with a command he shall hear and finally determine such cases: *And provided further*, That no one while holding the privileges of a certificate of eligibility to promotion shall be brought before a summary court, and that noncommissioned officers shall not, if they object thereto, be brought to trial before summary courts without the authority of the officer competent to order their trial by general court-martial, but shall in such cases be brought to trial before garrison, regimental, or general courts martial, as the case may be.” —appointment.  
  
—what offenses cognizable.  
  
R. S., sec. 1342, pp. 238, 240.  
  
—powers of court, etc.  
  
—record.  
  
—approval of sentence.  
  
Provisos.  
—but one officer present with command, etc.  
Exemptions from trial by summary court, etc.

**SEC. 2.** That articles eighty and one hundred and ten of the Rules and Articles for the Government of the Armies of the United States be, and the same are hereby, repealed. Repeal.  
R. S., sec. 1342, pp. 238, 240, amended.



Remission,  
etc., of sentence.

SEC. 3. That the commanding officers authorized to approve the sentences of summary courts and superior authority shall have power to remit or mitigate the same.

Monthly re-  
port of cases,  
etc.

SEC. 4. That post and other commanders shall, in time of peace, on the last day of each month, make a report to the department headquarters of the number of cases determined by summary court during the month, setting forth the offenses committed and the penalties awarded, which report shall be filed in the office of the judge-advocate of the department, and may be destroyed when no longer of use.

Sentence of  
dishonorable  
discharge and  
confinement.

SEC. 5. That soldiers sentenced by court-martial to dishonorable discharge and confinement shall, until discharged from such confinement, remain subject to the Articles of War and other laws relating to the administration of military justice.

Deserters may  
be arrested by  
civil officers.

SEC. 6. That it shall be lawful for any civil officer having authority under the laws of the United States, or of any State, Territory, or District, to arrest offenders, to summarily arrest a deserter from the military service of the United States and deliver him into the custody of the military authority of the General Government.

To take effect,  
etc.

SEC. 7. That this Act shall take effect sixty days after its passage.

June 29, 1898.  
[Public, No. 169.]  
39 Stats. L., p.  
525.

**CHAP. 538.**—An Act To amend section ten of an Act approved April twenty-second, eighteen hundred and ninety-eight, entitled "An Act to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes."

Army in time  
of war.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section ten of the Act approved April twenty-second, eighteen hundred and ninety-eight, entitled, "An Act to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes," as provides that "officers appointed or assigned to the staff of commanders of army corps, divisions, and brigades shall serve only in such capacity, and that when relieved from such staff service such appointments or assignments shall terminate," be, and the same is hereby, repealed, and that assignments of the officers of the volunteer staff shall be governed by the same rules and regulations as those of the Regular Army.*

Staff assign-  
ments volun-  
teer officers.

—to be gov-  
erned by Regu-  
lar Army rules.

July 1, 1898.  
[Public, No. 174.]  
39 Stats. L., p.  
571.

**CHAP. 544.**—An Act To authorize appointment of a military storekeeper in the Army.

Army.  
Quartermas-  
ter's Depart-  
ment.

Appointment  
of military  
storekeeper.

Inconsistent  
laws suspended.  
Vol. 18, p. 330.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to nominate and, by and with the advice and consent of the Senate, appoint a military storekeeper in the Quartermaster's Department of the Army; and all laws inconsistent herewith are hereby suspended for the purposes of this Act only.*



**CHAP. 563.**—An Act To relieve owners of mining claims who enlist in the military or naval service of the United States for duty in the war with Spain from performing assessment work during such term of service. July 2, 1898.  
[Public, No. 179.]  
30 Stats. L., p. 651.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* the provisions of section twenty-three hundred and twenty-four of the Revised Statutes of the United States, which require that on each claim located after the tenth day of May, eighteen hundred and seventy-two, and until patent has been issued therefor, not less than one hundred dollars' worth of labor shall be performed or improvements made during each year, shall not apply to claims or parts of claims owned by persons who may enlist in the volunteer army or navy of the United States for service in a war between this country and Spain, so that no mining claim or any part thereof owned by such person which has been regularly located and recorded shall be subject to forfeiture for nonperformance of the annual assessments until six months after such owner is mustered out of the service, or, if he should not survive the war, then six months after his death in the service. Public lands.  
Mining claims  
of persons en-  
listing not sub-  
ject to forfei-  
ture for nonper-  
formance of an-  
nual labor, etc.  
R. S., sec. 2324,  
p. 426.

**SEC. 2.** That those desiring to take advantage of this Act shall file, or cause to be filed, a notice in the clerk's office where the location certificate of said mine is recorded before the expiration of the assessment year, giving notice of his enlistment and of his desire to hold said claim under this Act. Notice of en-  
listment.

**SEC. 3.** That if any such enlisted soldier or sailor has a coowner or coowners in any mining claim, and who are not in the Army or Navy, and such coowner or coowners fail to do such a proportion of one hundred dollars' worth of work per annum as the interest of such nonenlisted person or persons bears to the whole claim, then such interest shall be open to relocation by any other qualified person or persons by their doing the necessary work thereon and filing an affidavit of labor showing the forfeiture and that the relocators had done the annual work required of such nonenlisted persons and succeeded them in right under this Act, which work may be done at any time after the expiration of the assessment year and before the former owners resume work thereon. The work and affidavit aforesaid shall operate as a transfer of said forfeited interest from the former owners to said relocators. No exemption  
to coowners not  
enlisted.

**CHAP. 568.**—An Act Relative to the Corps of Engineers of the Army. July 5, 1898.  
[Public, No. 181.]  
30 Stats. L., p. 652.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* the Corps of Engineers of the Army shall hereafter consist of one Chief of Engineers, with the rank of brigadier-general, seven colonels, fourteen lieutenant-colonels, Army.  
Engineer  
Corps.  
Organization,  
R. S., sec. 1151,  
p. 208, amended.

*Provisos.*  
*Vacancies,*  
*how filled.*  
*Three years'*  
*service in pres-*  
*ent grade neces-*  
*sary to promo-*  
*tion, etc.*  
*Examinations.*

twenty-eight majors, thirty-five captains, thirty first lieutenants, twelve second lieutenants, and the Battalion of Engineers: *Provided*, That the vacancies created by this Act in all grades above second lieutenant shall be filled by the promotion by seniority of the officers now in the Corps of Engineers: *And provided further*, That the number of officers in any grade above second lieutenant shall not be increased beyond the number heretofore established by law by the promotion of any officer to fill an original vacancy created by this Act until such officer shall have served at least three years in the grade from which he is promoted and the captains and lieutenants shall have satisfactorily passed the examinations required by existing laws.

July 7, 1898.  
[Public.No.182.]  
30 Stats. L., p.  
652.

**CHAP. 571.**—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for prior years, and for other purposes.

\* \* \* \* \*

NAVAL ESTABLISHMENT.

NAVY DEPARTMENT EMERGENCY FUND.

*Emergency*  
*fund.*  
*Equipment*  
*auxiliary ves-*  
*sels, etc.*

For emergency fund to meet unforeseen contingencies constantly arising under existing conditions, for the six months beginning July first, eighteen hundred and ninety-eight, fifteen million dollars.

That not exceeding five hundred thousand dollars of the sum appropriated by the Joint Resolution “Providing for the organization and enrollment of the United States Auxiliary Naval Force” may, in the discretion of the Secretary of the Navy, be expended for the repair and equipment of such vessels as may be purchased under said Joint Resolution.

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WAR DEPARTMENT.

\* \* \* \* \*

MILITARY ESTABLISHMENT.

\* \* \* \* \*

*Torpedoes for*  
*harbor defense.*

TORPEDOES FOR HARBOR DEFENSE.

*Care of mine*  
*fields.*  
*Material.*

For care and maintenance of mine fields during the six months beginning July first, eighteen hundred and ninety-eight, seven hundred and thirty-six thousand dollars.

For additional material for submarine-mine defense, including search lights and necessary supplies for operating electric-light plants, during the six months beginning July first, eighteen hundred and ninety-eight, six hundred and fifty thousand dollars.

That all appropriations made by this section for the naval and military establishments for the fiscal year eighteen hundred and ninety-eight shall remain available for payment of liabilities which may be incurred to and including December thirty-first, eighteen hundred and ninety-eight; and so much of the appropriations made herein for the military establishment for the six months beginning July first, eighteen hundred and ninety-eight, as may be necessary on account of volunteers mustered in under the President's call issued May twenty-fifth, eighteen hundred and ninety-eight, may, in the discretion of the Secretary of War, be available for expenditure during the month of June, eighteen hundred and ninety-eight.

Availability of appropriations.

Proclamations.

\* \* \* \* \*

**CHAP. 572.**—An Act To increase the efficiency of the Quartermaster's Department of the Army.

July 7, 1898.

[Public No. 188.]  
30 Stats. L., p.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That during the existing war and for a period not exceeding one year thereafter, the Secretary of War may make such distribution of the duties and labors of the Quartermaster's Department as may be deemed for the best interests of the service, and may assign a suitable officer in charge of each of such divisions, and may assign to duty as special inspectors of the Quartermaster's Department not exceeding four officers to be selected from the regular and volunteer officers of the Department; and such officers, and the quartermaster on the staff of the Commanding General of the Army, while so acting shall have the rank next above that held by them and not above colonel.

714.  
Army.  
Quartermaster's Department.  
Arrangement of divisions during present war.  
Special inspectors.

—rank.

**SEC. 2.** That the President may nominate and, by and with the advice and consent of the Senate, may appoint two quartermasters of volunteers with the rank of colonel, two quartermasters of volunteers with the rank of lieutenant-colonel, three quartermasters of volunteers with the rank of major, and twenty assistant quartermasters of volunteers with the rank of captain, and the Secretary of War may assign an officer of the Quartermaster's Department in charge of each principal depot of the Quartermaster's Department, not exceeding twelve, to be selected from the regular and volunteer officers of the Quartermaster's Department; and such officers while so acting shall have the rank next above that held by them and not above colonel, and the four principal assistants of the Quartermaster-General while so acting shall have the rank of colonel. The Secretary of War may assign such of the said volunteer quartermasters as may be deemed necessary to duty in the office of the Quartermaster-General, at the various supply depots or on other important and special work, and may continue such assignments for a period not exceeding one year after the close of the war, then to be discharged.

Quartermasters of volunteers.

Officer in charge of depots.

—rank.

Assignment to special work, etc.

July 7, 1898.

[Public, No. 184.]  
80 Stats. L., p.  
715.Army.  
Subsistence  
Department.Rank of com-  
missaries of sub-  
sistence.Temporary  
additional offi-  
cers.**CHAP. 573.**—An Act To increase the efficiency of the Subsistence Department of the Army.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* during the existence of the present war, and for not exceeding one year thereafter, every commissary of subsistence, of whatever rank, who shall be assigned to the duty of purchasing and shipping subsistence supplies at important depots, shall have the rank next above that held by him and not above colonel, but the number so assigned shall only be such as may be found necessary, not exceeding twelve; also, that the two commissaries of subsistence who may be detailed as assistants to the Commissary-General of Subsistence, shall have the rank of colonel, provided that when any such officer is relieved from said duty, his temporary rank, pay and emoluments, shall cease, and he shall return to his lineal rank in the Department.

**SEC. 2.** That there is hereby authorized to be added to the subsistence department in the volunteer service during the present war, and not to exceed one year thereafter, eight majors, and twelve captains for the discharge of such subsistence duties as may be assigned to them by the Secretary of War, to be nominated, and, by and with the advice and consent of the Senate, to be appointed by the President.

July 7, 1898.

[Public, No. 187.]  
80 Stats. L., p.  
717.Army.  
Protection of  
harbor defenses  
and fortifica-  
tions.—penalty for in-  
jury to.Offenses com-  
mitted in places  
under Federal  
jurisdiction.**CHAP. 576.**—An Act To protect the harbor defenses and fortifications constructed or used by the United States from malicious injury, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* any person who shall willfully, wantonly, or maliciously trespass upon, injure, or destroy any of the works or property or material of any submarine mine or torpedo, or fortification or harbor-defense system owned or constructed or in process of construction by the United States, or shall willfully or maliciously interfere with the operation or use of any such submarine mine, torpedo, fortification, or harbor-defense system, or shall knowingly, willfully or wantonly violate any regulation of the War Department that has been made for the protection of such mine, torpedo, fortification or harbor-defense system shall be punished, on conviction thereof in a district court of the United States for the district in which the offense is committed, by a fine of not less than one hundred nor more than five thousand dollars, or with imprisonment for a term not exceeding five years, or with both, in the discretion of the court.

**SEC. 2.** That when any offense is committed in any place, jurisdiction over which has been retained by the United States or ceded to it by a State, or which has been purchased with the consent of a State for the erection of a fort, magazine, arsenal, dockyard, or other needful build-

ing or structure, the punishment for which offense is not provided for by any law of the United States, the person committing such offense shall, upon conviction in a circuit or district court of the United States for the district in which the offense was committed, be liable to and receive the same punishment as the laws of the State in which such place is situated now provide for the like offense when committed within the jurisdiction of such State, and the said courts are hereby vested with jurisdiction for such purpose; and no subsequent repeal of any such State law shall affect any such prosecution.

—where no penalty provided by Federal law.

—United States courts to have jurisdiction.

—penalty, etc.

**CHAP. 580.**—An Act To provide for a temporary increase in the Inspector-General's Department of the Army.

July 7, 1898.

[Public.No.191.]  
30 Stats. L., p. 720.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized, by and with the advice and consent of the Senate, to appoint one inspector-general with the rank of colonel, one inspector-general with the rank of lieutenant-colonel, and one inspector-general with the rank of major: Provided, That the vacancies created in the grade of colonel and lieutenant-colonel by this Act shall be filled by the promotion of officers now in the Inspector-General's Department according to seniority, and that upon the mustering out of the volunteer forces and the reduction of the Regular Army to a peace basis, no appointments shall be made in the Inspector-General's Department until the number of officers in each grade in that Department shall be reduced to the number now authorized by law.*

Army.  
Inspector-General's Department.  
Temporary increase of officers.

Proviso.  
Vacancies, how filled, etc.

**CHAP. 582.**—An Act To increase the force of the Ordnance Department.

July 7, 1898.

[Public.No.193.]  
30 Stats. L., p. 720.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section five of an Act entitled "An Act reorganizing the several staff corps of the Army," approved June twenty-third, eighteen hundred and seventy-four, be, and the same is hereby, amended so as to read as follows:*

Army.  
Ordnance Department.  
Increase of officers.

"SEC. 5. The Ordnance Department shall consist of one Chief of Ordnance, with the rank, pay, and emoluments of a brigadier-general; four colonels, five lieutenant-colonels, twelve majors, twenty-four captains, twenty first lieutenants.

"A chief ordnance officer may be assigned to the staff of an army or a corps commander, and while so assigned shall have the rank, pay, and allowances of a lieutenant-colonel. A chief ordnance officer may be assigned to the staff of a division commander, and while so assigned shall have the rank, pay, and allowances of a major."

Assignments to staff of corps and division commanders.



July 7, 1898.

[Public.No.194.]  
30 Stats. L., p.  
721.**CHAP. 583.** An Act Directing the enlistment of cooks in the Regular and Volunteer armies of the United States.Army.  
Enlistment of  
cooks.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause to be enlisted in each company, battery, and troop in the Regular and Volunteer armies of the United States, as a part of the authorized enlisted strength thereof, under rules to be prescribed by him, a competent person as cook, who shall take rank as and be allowed the pay of a corporal of the arm of the service to which he belongs, and whose duties in connection with the preparation and serving of the food of the enlisted men of the company, battery, or troop, and with the supervision and instruction of enlisted men hereby authorized to be detailed to assist him, shall be prescribed in the regulations for the government of the Army.*

July 7, 1898.

[Public.No.195.]  
30 Stats. L., p.  
721.**CHAP. 584.** An Act To amend the Act relating to pay of volunteer officers and soldiers.Volunteer  
Army.  
Pay and al-  
lowances, when  
to commence.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved May twenty-sixth, eighteen hundred and ninety-eight, entitled "An Act providing for the payment and maintenance of volunteers during the interval between their enrollment and muster into the United States service, and for other purposes," be, and the same is hereby, amended to read as follows:*

*"That the pay and allowance of all officers and enlisted men of the volunteers received into the service of the United States under the Act of Congress approved April twenty-second, eighteen hundred and ninety-eight, and the acts supplemental thereto, shall be deemed to commence from the day on which they had their names enrolled for service in the Volunteer Army of the United States and joined for duty therein after having been called for by the governor on the authority of the President and all officers and enlisted men who have not been so paid shall be so paid by the Pay Department of the Army out of any moneys appropriated for the maintenance of the Army: *Provided*, That troops about to embark for service in the Philippine Islands may, in the discretion of the Secretary of War, be paid one month's wages in advance prior to embarkation."*

Proviso.  
Troops for  
Philippine Is-  
lands.

July 8, 1898.

[Public.No.213.]  
30 Stats. L., p.  
728.**CHAP. 642.**—An Act To increase the number of post quartermaster-sergeants in the United States Army.Army.  
Post quarter-  
master-ser-  
geants, increase  
in number.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the number of post quartermaster-sergeants of the Army be increased by the addition of twenty-five post quarter-*



master-sergeants, to be appointed by the Secretary of War in the manner now provided for by law.

**CHAP. 644.**—An Act Fixing pay and allowances of chaplains for volunteer regiments.

July 8, 1898.

[Public.No.205.]  
80 Stats. L., p.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all chaplains in the volunteer service shall have the pay and allowances of a captain mounted.*

729.  
Volunteer  
Army.  
Pay of chap-  
lains.

**CHAP. 646.**—An Act Making appropriations to pay session employees of the House of Representatives, and for other purposes.

July 8, 1898.

[Public.No.207.]  
80 Stats. L., p.  
730.

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# WAR DEPARTMENT.

War Depart-  
ment.

To enable the Secretary of War, in his discretion, to cause to be transported to their homes the remains of officers and soldiers who die at military camps or who are killed in action or who die in the field at places outside of the limits of the United States, two hundred thousand dollars.

Bringing home  
soldiers' re-  
mains.

[No. 11.] Joint Resolution To provide for recovering the remains of officers and men and property from the wrecked United States ship Maine. and making an appropriation therefor.

February 23,  
1898.

[Pub.Res.,No.  
10.]  
80 Stats. L., p.  
735.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to engage the services of a wrecking company or companies, having proper facilities for the prompt and efficient performance of submarine work, for the purpose of recovering the remains of the officers and men lost on the United States ship Maine, and of saving the vessel or such parts thereof, and so much of her stores, guns, material, equipment, fittings, and appurtenances as may be practicable; and for this purpose the sum of two hundred thousand dollars, or as much thereof as may be necessary, is hereby appropriated and made immediately available.*

U. S. ship  
"Maine."  
Recovery of  
remains of offi-  
cers, property,  
etc.

[No. 19.] Joint Resolution Providing for the temporary admission free of duty of naval and military supplies procured abroad.

April 1, 1898.

[Pub.Res.,No.  
16.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That such guns, ammunition, and other naval and military supplies as may be purchased abroad by this Government for the national defense prior to January first, eighteen hundred and ninety-nine, shall be admitted at any port of entry in the United States free of duty.*

80 Stats. L., p.  
737.  
National de-  
fense.  
Admission free  
of duty of am-  
munition, etc.

April 11, 1898. [No. 21.] Joint Resolution Relative to suspension of part of section three hundred and fifty-five of Revised Statutes, relative to erection of forts, fortifications, and so forth.

[Pub. Res., No. 18.]  
30 Stats. L., p. 737.

Erection of fortifications in cases of emergency.

R. S., sec. 355, p. 60.  
Validity of title, etc.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That* in case of emergency when, in the opinion of the President, the immediate erection of any temporary fort or fortification is deemed important and urgent, such temporary fort or fortification may be constructed upon the written consent of the owner of the land upon which such work is to be placed; and the requirements of section three hundred and fifty-five of the Revised Statutes shall not be applicable in such cases.

April 20, 1898. [No. 24.] Joint Resolution For the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the Island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect.

[Pub. Res., No. 21]  
30 Stats. L., p. 738.

Preamble.

Whereas the abhorrent conditions which have existed for more than three years in the Island of Cuba, so near our own borders, have shocked the moral sense of the people of the United States, have been a disgrace to Christian civilization, culminating, as they have, in the destruction of a United States battle ship, with two hundred and sixty-six of its officers and crew, while on a friendly visit in the harbor of Havana, and can not longer be endured, as has been set forth by the President of the United States in his message to Congress of April eleventh, eighteen hundred and ninety-eight, upon which the action of Congress was invited: Therefore,

Independence of Cuba.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First.* That the people of the Island of Cuba are, and of right ought to be, free and independent.

Demand upon Spain to relinquish its authority, etc.

*Second.* That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the Island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

President authorized to use land and naval forces.

*Third.* That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

Disclaimer by the United States of intention to exercise sovereignty, etc.

*Fourth.* That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said Island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the Island to its people.

No. 25.] Joint Resolution To prohibit the export of coal or other material used in war from any seaport of the United States. April 22, 1898. [Pub. Res., No. 22.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That* 30 Stats. L., p. 739.

President authorized to prohibit exportation of war material.  
That the President is hereby authorized, in his discretion, and with such limitations and exceptions as shall seem to him expedient, to prohibit the export of coal or other material used in war from any seaport of the United States until otherwise ordered by the President or by Congress.

No. 33.] Joint Resolution Tendering the thanks of Congress to Commodore George Dewey, United States Navy, and to the officers and men of the squadron under his command. May 10, 1898. [Pub. Res., No. 30.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That,* 30 Stats. L., p. 742.  
Commodore George Dewey, U. S. N.  
—thanks of Congress, etc., to. R. S., sec. 1508, p. 280.  
pursuance of the recommendation of the President, in accordance with the provisions of section fifteen hundred and eight of the Revised Statutes, the thanks of Congress and of the American people are hereby tendered to Commodore George Dewey, United States Navy, Commander-in-Chief of the United States naval force on the Asiatic Station, for highly distinguished conduct in contact with the enemy, as displayed by him in the destruction of the Spanish fleet and batteries in the harbor of Manila, Philippine Islands, May first, eighteen hundred and ninety-eight.

SEC. 2. That the thanks of Congress and the American people are hereby extended through Commodore Dewey to the officers and men under his command for the gallantry and skill exhibited by them on that occasion. —to officers and men of his command.

SEC. 3. *Be it further resolved,* That the President of the United States be requested to cause this resolution to be communicated to Commodore Dewey, and, through him, to the officers and men under his command. —notification.

No. 38.] Joint Resolution Providing for the organization and enrollment of the United States Auxiliary Naval Force. May 23, 1898. [Pub. Res., No. 34.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That* 30 Stats. L., p. 744.  
Navy.  
Organization of temporary auxiliary naval force.  
United States Auxiliary Naval Force is hereby authorized to be established, to be enrolled in such numbers as the President may deem necessary, not exceeding three thousand enlisted men, for the exigencies of the present war with Spain, and to serve for a period of one year, or less, and shall be disbanded by the President at the conclusion of the war.

SEC. 2. That the chief of the United States Auxiliary Naval Force shall be detailed by the Secretary of the Navy from the active or retired list of the line officers of the Navy not below the grade of captain, who shall receive the highest pay of his grade while so employed. Chief.

SEC. 3. That enlistment into the United States Auxiliary Enlistment.

**Officers.** Naval Force shall be made by such officer or officers as the Navy Department may detail for the purpose, who shall also select from merchant vessels and other available sources such volunteers as may be deemed best fitted for service as officers in said force, and shall report to the Secretary of the Navy, for his action, their names and the grade for which each is recommended.

**Division of coast line into districts.** SEC. 4. That for the purposes of this organization the coast line shall be divided into districts, each of which shall be in charge of an assistant to the chief of the United States Auxiliary Naval Force; and such assistant chiefs may be detailed by the Secretary of the Navy from the officers of the active or retired list of the line of the Navy, or appointed by him from civil life, not above the rank of lieutenant-commander.

**Pay.** SEC. 5. That the officers and men comprising the United States Auxiliary Naval Force shall receive the same pay and emoluments as those holding similar rank or rate in the Regular Navy; and all matters relating to the organization, discipline, and government of men in said force shall conform to the laws and regulations governing the United States Navy.

**Conformance to Navy regulations, etc.**

May 23, 1898. [No. 39.] Joint Resolution Ratifying and confirming certain temporary appointments of officers of the Navy.

[Pub. Res., No. 35.]

30 Stats. L., p. 745.

**Navy.**  
Confirmation of certain temporary appointments in.

*Provis*  
Rank and pay.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the temporary appointments made by the President on and after April twenty-first, eighteen hundred and ninety-eight, and up to the date of the passage of this joint resolution, of officers of the line and staff of the Navy, are hereby ratified and confirmed, to continue in force during the exigency under which their services are required in the existing war: Provided, That the officers so appointed shall be assigned to duty with rank and pay of the grades established by existing law, and shall be paid from the appropriation "Pay of the Navy."*

June 3, 1898. [No. 42.] Joint Resolution Authorizing the Secretary of the Navy to present a sword of honor to Commodore George Dewey, and to cause to be struck bronze medals commemorating the battle of Manila Bay, and to distribute such medals to the officers and men of the ships of the Asiatic Squadron of the United States.

[Pub. Res., No. 38.]

30 Stats. L., p. 746.

**Commodore George Dewey, U. S. N.**

Presentation of sword and of medals to his command.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he hereby is, authorized to present a sword of honor to Commodore George Dewey, and to cause to be struck bronze medals commemorating the battle of Manila Bay, and to distribute such medals to the officers and men of the ships of the Asiatic Squadron of the United States under command of Commodore George Dewey on May first, eighteen hundred and*

ninety-eight, and that to enable the Secretary to carry out this resolution the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

[No. 48.] Joint Resolution Authorizing the President in his discretion to waive the one-year suspension from promotion and to order reexamination of officers of the Army in certain cases.

June 14, 1898.  
[Pub. Res., No. 4.]  
30 Stats. L., p. 747.  
Army.  
One year suspension from promotion waived.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That during the existing war the President may, in his discretion, waive the one-year suspension from promotion and forthwith order the reexamination provided in certain cases by the third proviso of section three of the Act approved October first, eighteen hundred and ninety, entitled "An Act to provide for the examination of certain officers of the Army and to regulate promotions therein."*

[No. 57.] Joint Resolution To correct an omission relative to signal officers on the staff of corps commanders, and for other purposes.

July 8, 1898.  
[Pub. Res., No. 53.]  
30 Stats. L., p. 752.  
Army in time of war.  
Staff of commander of army corps to include a chief signal officer.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section ten of the Act of Congress approved April twenty-fifth, eighteen hundred and ninety-eight, as provides that the staff of the general commanding an army corps shall consist of certain officers, with the rank of lieutenant-colonel, shall be held to include among such officers a chief signal officer: Provided, That so much of the Act of Congress approved August sixth, eighteen hundred and ninety-four, as reduces the grade of the Chief Signal Officer of the Army is hereby repealed, and the colonel therein provided for shall be Assistant Chief Signal Officer and appointed, by regular promotion, upon the approval of this resolution: Provided further, That the laws authorizing the detail and assignment of the officers of the Army to duty in the Weather Bureau be, and are hereby, repealed.*

Provisos.  
Repeal of provision reducing grade of chief signal officer, etc.  
Repeal.

*Fifty-fifth Congress, third session.*

**CHAP. 41.**—An Act Making appropriations to supply urgent deficiencies in the appropriations for the support of the military and naval establishments for the last six months of the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for other purposes.

January 5, 1899.  
[Public, No. 10].  
30 Stats. L., p. 772.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That out of the balances remaining unexpended January first, eighteen hundred and ninety-nine, of the appropriations made by the deficiency appropriation Acts approved May*

Deficiencies appropriations for Army, etc.  
Laws 2d sess. 55th Cong., pp. 390, 437, 636.

fourth and June eighth, eighteen hundred and ninety-eight, respectively, and by section two of the deficiency appropriation Act approved July seventh, eighteen hundred and ninety-eight, for the six months beginning July first, eighteen hundred and ninety-eight, on account of war expenses under the titles "War Department," and "Military establishment," there is hereby reappropriated and made available for expenditure during the six months beginning January first, eighteen hundred and ninety-nine, for objects hereinafter specified, the following sums, namely:

WAR DEPARTMENT.

\* \* \* \* \*

MILITARY ESTABLISHMENT.

OFFICE OF THE SECRETARY OF WAR.

Emergency fund.	For emergency fund to meet unforeseen contingencies constantly arising, to be expended at the discretion of the President, three million dollars.
Contingent expenses.	For contingencies of the Army, namely: For all contingent expenses of the Army not provided for by other estimates, and embracing all branches of the military service, to be expended under the immediate orders of the Secretary of War, two hundred thousand dollars.

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NAVAL ESTABLISHMENT.

Emergency fund.	For emergency fund to meet unforeseen contingencies constantly arising, to be expended at the discretion of the President, one million dollars.
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NATIONAL DEFENSE.

National defense. Reappropriation. Laws 2d sess. 55th Cong., p. 274.	That the balance remaining unexpended January first, eighteen hundred and ninety-nine, of the appropriation of fifty million dollars for the national defense, and for each and every purpose connected therewith, to be expended at the discretion of the President, and to remain available until January first, eighteen hundred and ninety-nine, made by the Act approved March ninth, eighteen hundred and ninety-eight, is hereby reappropriated and made available for expenditure for the same purposes during the six months beginning January first, eighteen hundred and ninety-nine.
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January 12, 1899. **CHAP. 46.**—An Act Granting extra pay to officers and enlisted men of United States Volunteers.

[Public, No. 14.]  
30 Stats. L., p. 784.

Volunteer Army. Extra pay on muster out in lieu of furlough, etc.	<i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That</i> in lieu of granting leaves of absence and furloughs to officers and enlisted men belonging to companies and regiments of United States Volunteers prior to muster out
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of the service, all officers and enlisted men belonging to volunteer organizations hereafter mustered out of the service who have served honestly and faithfully beyond the limits of the United States shall be paid two months' extra pay on muster out and discharge from the service, and all officers and enlisted men belonging to organizations hereafter mustered out of the service who have served honestly and faithfully within the limits of the United States shall be paid one month's extra pay on muster out and discharge from the service, from any money in the Treasury not otherwise appropriated: *Provided*, That the discharge of all officers and enlisted men from the volunteer service of the United States shall, as far as practicable, take effect on the date of the muster out of the organization to which they belong, and that regiments and other independent organizations shall be mustered out at camps within the limits of the United States or at the rendezvous of the State, regiment, or independent organization.

*Proviso.*  
Discharge to be of date of muster out of organization.

Place of muster out.

SEC. 2. That officers who at any time were accountable or responsible for public property shall be required, before final payment is made to them on discharge from the service, to obtain certificates of nonindebtedness to the United States from only such of the bureaus of the War Department to which the property for which they were accountable or responsible pertains, and the certificate from the Chief of the Division of Bookkeeping and Warrants, Treasury Department, and such certificates, accompanied by the affidavits of officers, of nonaccountability or nonresponsibility to other bureaus of the War Department, certified to by the commanding officer of the regiment or independent organization, shall warrant their final payment: *Provided*, That officers who have not been responsible at any time for public property shall be required to make affidavit of that fact, certified to by their commanding officers, which shall be accepted as sufficient evidence to warrant their final payment on their discharge from the service: *Provided further*, That mustering officers are empowered to administer oaths in all matters pertaining to the muster out of volunteers.

Discharge of officers accountable for public property. Certificates of nonindebtedness.

*Proviso.*  
—of officers not accountable, affidavit sufficient.

Administering oaths.

CHAP. 123.—An Act For adjusting clothing account for deceased soldiers, in certain cases.

February 8, 1899.

[Public, No. 30.]  
30 Stats. L., p. 822.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in the adjustment of the accounts of volunteers enrolled on account of the existing war with Spain, who have died, or may hereafter die within six months from the date of their enrollment, the accounting officers of the Treasury shall make no stoppage on account of clothing overdrawn against the pay or allowances otherwise found due the widow, heirs, or legal representative of the soldier, unless the amount of clothing actually drawn by him is in excess of the clothing allowance for a soldier of his grade for the first six months of service.

Army.  
Deductions from pay of volunteer dying six months after enrollment only where clothing actually overdrawn.

February 25, 1899. **CHAP. 190.**—An Act Authorizing the President to appoint additional cadets at large at the United States Naval Academy.

[Public, No. 69.]  
30 Stats. L., p. 890.  
Naval Academy.  
Appointment of additional cadets at large authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized and empowered to appoint during the present fiscal year five cadets at large at the United States Naval Academy, to be in addition to the number heretofore authorized by law, said appointments to be subject to the conditions and requirements of existing laws and regulations.*

February 25, 1899. **CHAP. 191.**—An Act To permit volunteer regiments to retain their colors.

[Public, No. 70.]  
30 Stats. L., p. 890.  
Army.  
Retention of colors by volunteer regiments authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to permit volunteer regiments, on being mustered out of the service of the United States, to retain all of their regimental colors. Said colors shall be turned over to the State authorities to which said regiments belong, and the regimental quartermaster in making his returns may, in lieu of said colors and in full release therefor, file with the proper official of the War Department a receipt from the quartermaster-general of said State that said colors have been delivered to said State authorities.*

March 1, 1899. **CHAP. 327.**—An Act Making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, nineteen hundred.

[Public, No. 107.]  
30 Stats. L., p. 959.

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OFFICE OF THE POSTMASTER-GENERAL.

\* \* \* \* \*

For service in territory held by military occupation, etc.

For postal service in the territory held by military occupation, and for additional transportation to and from said territory, also including postal service for all military camps or stations, to be used in the discretion of the Postmaster-General, three hundred thousand dollars.

\* \* \* \* \*

March 2, 1899. **CHAP. 352.**—An Act For increasing the efficiency of the Army of the United States, and for other purposes.

[Public, No. 128.]  
30 Stats. L., p. 977.  
Army.  
Composition of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of approval of this Act the Army of the United States shall consist of three major-generals, six brigadier-generals, ten regiments of cavalry, seven regiments of artillery, twenty-five regiments of infantry, an Adjutant-General's Department, an Inspector-General's Department, a Judge-Advocate-General's De-*

partment, a Quartermaster's Department, a Subsistence Department, a Medical Department, a Pay Department, a Corps of Engineers, an Ordnance Department, a Signal Corps, thirty chaplains, to be assigned to regiments or posts in the discretion of the Secretary of War, the officers of the Record and Pension Office, the officers and enlisted men of the Army on the retired list, the professors, corps of cadets, an army-service detachment and band at the United States Military Academy, and such other officers and enlisted men as may hereinafter be provided for:

*Provided*, That when a vacancy shall occur through death, retirement, or other separation from active service, in the office of storekeeper in the Quartermaster's Department and Ordnance Department, respectively, now provided for by law, said offices shall cease to exist.

*Proviso.*  
Offices of store-keeper in Quartermaster's and Ordnance Departments to cease with present incumbent.  
Cavalry.  
Composition of regiments.

SEC. 2. That each regiment of cavalry shall consist of one colonel; one lieutenant-colonel; three majors; fourteen captains, two of whom shall be available for detail as adjutant and quartermaster; sixteen first lieutenants, of whom one shall be available for detail as commissary, and three for detail as squadron adjutants; twelve second lieutenants, two veterinarians, one sergeant-major, one quartermaster-sergeant, one commissary-sergeant, who shall have the rank, pay, and allowances of a regimental quartermaster-sergeant of cavalry; three squadron sergeant-majors, who shall be senior to and have the pay and allowances of first sergeants of cavalry; one band; and twelve troops organized into three squadrons of four troops each:

*Provided*, That nothing herein contained shall be construed as abolishing the office of chaplain in each regiment of colored cavalry. Each cavalry band shall consist of one chief musician; one chief trumpeter; one principal musician; one drum major, who shall have the rank, pay, and allowances of a first sergeant; four sergeants; eight corporals; one cook, and eleven privates. Each troop of cavalry shall consist of one captain; one first lieutenant; one second lieutenant; one first sergeant; one quartermaster-sergeant, who shall have the pay and allowances of a sergeant; six sergeants, six corporals, two cooks, two farriers and blacksmiths, one saddler, one wagoner, two trumpeters, and forty-three privates. Of the veterinarians provided for in this Act, one shall have the pay and allowances of a second lieutenant of cavalry and one shall have the pay of seventy-five dollars per month and the allowances of a sergeant-major: *Provided*, That the veterinarian appointed to the first grade shall not be so appointed until he shall have passed an examination, to be prescribed by the Secretary of War, as to his physical, moral, and professional qualifications: *Provided further*, That the veterinarians now in the service who do not pass such competitive examination shall be eligible to the positions of the second class under such rules as are now prescribed by the regulations. The regimental sergeant-major and the regimental quartermaster-sergeant provided for in this section shall have the pay and allowances of ordnance sergeants.

*Proviso.*  
Chaplain.  
Band.

Troop, composition of.

Veterinarians.  
Pay, etc., of.

*Proviso.*  
Examination for first grade.

—second class.

Artillery.  
Composition of  
regiments.  
Laws, 2d sess.  
55th Cong., p.  
201, amended.

SEC. 3. That each regiment of artillery shall consist of one colonel, one lieutenant-colonel, three majors, sixteen captains, two of whom shall be available for detail as adjutant and quartermaster; sixteen first lieutenants, fourteen second lieutenants, one sergeant-major, one quartermaster-sergeant, one band, and fourteen batteries, of which two may be organized as field artillery.

Band.

Each artillery band shall consist of one chief musician, one chief trumpeter, one principal musician, one drum major, who shall have the rank, pay, and allowances of a first sergeant; four sergeants, eight corporals, one cook, and eleven privates.

Batteries of  
heavy artillery.

Each battery of heavy artillery shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster-sergeant, who shall have the pay and allowances of a sergeant; eight sergeants, twelve corporals, two musicians, two mechanics, who shall have the pay and allowances of sergeants of artillery; two cooks, and fifty-two privates.

field artillery.

Each battery of field artillery shall consist of one captain, two first lieutenants, one second lieutenant, one first sergeant, one stable sergeant, one quartermaster-sergeant, six sergeants, twelve corporals, four artificers, two musicians, two cooks, and fifty-one privates.

Electrician  
sergeant, coast  
artillery.

In addition to the enlisted men specified there shall be one electrician sergeant to each post garrisoned by coast artillery having electrical appliances, who shall have the pay and allowances of an ordnance sergeant.

Infantry.  
Composition of  
regiments.

SEC. 4. That each regiment of infantry shall consist of one colonel; one lieutenant-colonel; three majors; fourteen captains, two of whom shall be available for detail as adjutant and quartermaster; sixteen first lieutenants, of whom one shall be available for detail as commissary and three for detail as battalion adjutants; twelve second lieutenants; one sergeant-major; one quartermaster-sergeant; one commissary-sergeant, who shall have the rank, pay, and allowances of a regimental quartermaster-sergeant of infantry; three battalion sergeant-majors, who shall be senior to and have the pay and allowances of a first sergeant; one band, and twelve companies, organized into three battalions of four companies each: *Provided*, That nothing herein contained shall be construed as abolishing the office of chaplain in each regiment of colored infantry.

*Proviso.*  
Chaplain.

Band.

Each infantry band shall consist of one chief musician, one principal musician, one drum major, who shall have the rank, pay, and allowances of a first sergeant, four sergeants, eight corporals, one cook, and twelve privates.

Composition of  
companies.

Each infantry company shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster-sergeant, who shall have the pay and allowances of a sergeant; four sergeants, six corporals, two cooks, two musicians, one artificer, and forty-eight privates: *Provided*, That the limits of age for original enlistments in the Army shall be eighteen and thirty-five years.

*Proviso.*  
Age limit,  
original enlist-  
ment.

SEC. 5. That all vacancies created or caused by the provisions of this Act above the grade of second lieutenant in the line of the Army shall be filled by promotion according to seniority in the several arms, subject to the examinations now prescribed by law: *Provided*, That the additional second lieutenants now attached to each regiment of artillery shall be absorbed in the artillery or transferred to other arms where vacancies exist without loss of relative rank, leaving but one second lieutenant in each battery.

Promotion to fill vacancies.

*Proviso.*  
Absorption of additional second lieutenants in artillery, etc.

Vacancies in the grade of second lieutenant shall be filled as now provided by law, except that no person shall be appointed from civil life before he shall have reached the age of twenty-one years nor after he shall have reached the age of twenty-seven years, nor until he shall have passed a satisfactory examination as to his moral, physical, and educational qualifications.

Vacancies, second lieutenants, how filled.  
Age limit, appointments from civil life; examination.

SEC. 6. That the Adjutant-General's and Inspector-General's departments shall consist of the number of officers now in those departments, respectively: *Provided*, That vacancies in the grade of major occurring in either department shall hereafter be filled from captains in the line of the Army: *And provided further*, That all such captains who have evinced marked aptitude in the command of troops shall be reported by their regimental commanders to the War Department and shall be entitled to compete for any such vacancy under such system of examination as the President shall prescribe.

Adjutant-General's and Inspector-General's Departments.

*Provisos.*  
Vacancies in grade of major, how filled.  
—what captains may compete.

SEC. 7. That the Judge-Advocate-General's Department, Quartermaster's Department, Subsistence Department, Medical Department, Pay Department, Corps of Engineers, Ordnance Department, and Signal Corps shall consist of the officers and enlisted men now provided by law: *Provided*, That the battalion of engineers, and the officers serving therewith, shall constitute a part of the line of the Army: *Provided further*, That in time of war retired officers of the Army may, in the discretion of the President, be employed on active duty, other than in the command of troops, and when so employed they shall receive the full pay and allowances of their grades: *And provided also*, That no person in civil life shall hereafter be appointed a judge-advocate, paymaster, or chaplain until he shall have passed satisfactorily such examination as to his moral, mental, and physical qualifications as may be prescribed by the President; and no such person shall be appointed who is more than forty-four years of age: *Provided further*, That in case of the appointment of an officer who has served in a similar capacity during the war with Spain and has demonstrated his moral, mental, and physical qualifications for the position, then such examination shall not be required.

Composition of staff departments unchanged.

*Provisos.*  
Battalion of engineers to be part of line.  
Retired officers; service in time of war.

Examination certain staff appointments from civil life.

—age.

—exception.

SEC. 8. That the Chief of the Record and Pension Office of the War Department shall hereafter have the rank, pay, and allowances of a brigadier-general, and there shall be an assistant chief of said office, who shall have the rank, pay, and allowances of a major and who

Record and Pension Office, War Department.

Rank of present chief; assistant.



**Termination of increased grade.** may be appointed from civil life: *Provided*, That whenever a vacancy shall occur in the office of the Chief of the Record and Pension Office subsequent to the passage of this Act said grade shall cease and determine, and thereafter the chief of said office shall have the rank, pay, and allowances of a colonel.

**Cooks.** SEC. 9. That the cooks authorized by this Act shall have the pay and allowances of sergeants of infantry.

**Cadets, Military Academy.** SEC. 10. That the corps of cadets shall consist of one from each Congressional district, one from each Territory, one from the District of Columbia, and twenty from the United States at large. They shall be appointed by the President, and shall, with the exception of the twenty cadets appointed at large, be actual residents of the Congressional or Territorial districts, or of the District of Columbia, or of the States, respectively, from which they purport to be appointed.

**Quartermaster's and Subsistence Departments.** SEC. 11. That so much of the Acts approved July seventh, eighteen hundred and ninety-eight, as authorizes the assignment of certain officers of the Quartermaster's and Subsistence departments with increased rank, and the continuance in service of certain volunteer officers of those departments for a period of one year after the close of the present war is repealed.

**Assignment of officers for one year after close of war; repeal. Laws, 2d sess. 55th Cong., pp. 714, 715.** SEC. 12. That to meet the present exigencies of the military service the President is hereby authorized to maintain the Regular Army at a strength of not exceeding sixty-five thousand enlisted men, to be distributed amongst the several branches of the service, including the Signal Corps, according to the needs of each, and raise a force of not more than thirty-five thousand volunteers to be recruited as he may determine from the country at large, or from the localities where their services are needed, without restriction as to citizenship or educational qualifications, and to organize the same into not more than twenty-seven regiments organized as are infantry regiments of war strength in the Regular Army, and three regiments to be composed of men of special qualifications in horsemanship and marksmanship, to be organized as cavalry for service mounted or dismounted: *Provided*, That each regiment shall have one surgeon, with the rank of major; two assistant surgeons, one of whom shall have the rank of captain and one that of first lieutenant, and three hospital stewards: *Provided further*, That such increased regular and volunteer force shall continue in service only during the necessity therefor, and not later than July first, nineteen hundred and one.

**Volunteers. -- recruitment, etc.** All enlistments for the volunteer force herein authorized shall be for the term of two years and four months, unless sooner discharged.

**—organization.** SEC. 13. That the President shall have power to continue in service or to appoint, by and with the advice and consent of the Senate, brigadier-generals of volunteers, who, including the brigadier-generals of the Regular Army, shall not exceed one for every four thousand enlisted men actually in service, and major-generals of vol-

**Provisos. Surgeons.**

**Limit of time for increased force.**

**Term of enlistment.**

**Total number of brigadier-generals.**

**—major-generals.**



unteers, who, including the major-generals of the Regular Army, shall not exceed one for every twelve thousand enlisted men: *Provided*, That Regular Army officers continued or appointed as general officers or as field or staff officers of volunteers, under the provisions of this Act shall not vacate their Regular Army commissions: *And provided further*, That no general officers appointed under the provisions of this section shall be continued in service as such beyond July first, nineteen hundred and one: *And provided also*, That any officer now in the Army, who was graduated at the head of his class at the United States Military Academy and who is not now in the Corps of Engineers, may be appointed to the Corps of Engineers with the same grade and date of commission that he would have if he had been appointed to the Corps of Engineers on graduation; but said commission shall not entitle an officer to any back pay or allowance.

*Proviso.*  
Regular Army commissions not vacated.  
Limit of service, officers.

Appointment to engineer corps of officers who have graduated at head of class, Military Academy.

—no back pay.

SEC. 14. That the President is hereby authorized to continue in service, or to appoint by and with the advice and consent of the Senate, officers of the volunteer staff as follows:

Appointment of volunteer staff.

Three assistant adjutant-generals with the rank of lieutenant-colonel, and six assistant adjutant-generals with the rank of major.

Three inspectors-general with the rank of lieutenant-colonel, and six inspectors-general with the rank of major.

Five judge-advocates with the rank of major.

Thirty quartermasters with the rank of major, and forty assistant quartermasters with the rank of captain.

Six commissaries of subsistence with the rank of major, and twelve assistant commissaries of subsistence with the rank of captain.

Thirty-four surgeons with the rank of major.

Thirty additional paymasters with the rank of major.

Four signal officers with the rank of major, nine signal officers with the rank of captain, nine signal officers with the rank of first lieutenant, and nine signal officers with the rank of second lieutenant.

*Provided*, That for each Regular Army officer of a staff corps or department who may be retained in or appointed to a higher volunteer rank in said staff corps or department than that actually held by him in the regular establishment, there may be appointed one officer of volunteers of the lowest grade mentioned in this section for such staff corps or department, but no appointment shall be made which will increase the total number of officers, regular and volunteer, serving in any grade, above the number authorized by this Act: *And provided also*, That all the volunteer staff officers herein authorized to be appointed or retained in the service shall be honorably discharged on July first, nineteen hundred and one, or sooner if their services are no longer required: *And provided further*, That the officers herein authorized shall be appointed by the President, by and with the advice and consent of the Senate.

*Proviso.*  
Additional appointments where Regular Army officer occupies higher volunteer staff rank.

Limit of service, volunteer staff.

Officers, how appointed.

Muster out of  
V o l u n t e e r  
Army.

Laws, 2d sess.  
55th Cong., p.  
361.

Provisos.  
Transfer of  
enlisted men de-  
siring to re-  
main.

Temporary en-  
listment of or-  
ganizations,  
etc., now in  
Philippine Is-  
lands.

Restoration of  
Army to former  
basis on July 1,  
1901.

Laws, 2d sess.  
55th Cong., p.  
261.

Promotions  
under existing  
law, etc., un-  
changed.

Allotments of  
pay by enlisted  
men.

Sale of intox-  
icating drinks  
prohibited.

Repeal.

SEC. 15. That the officers and enlisted men of the volunteer army shall be mustered out of the military service of the United States and discharged as provided in the Act of April twenty-second, eighteen hundred and ninety-eight: *Provided*, That enlisted men of volunteers who desire to remain in the military service, either in the Regular Army or the temporary force authorized by this Act, may, if found qualified therefor, be transferred to and enlisted in such batteries, troops, or companies as may be below the maximum authorized strength, and when so transferred and enlisted shall be credited on their new enlistment with the periods of service rendered by them, respectively, as volunteers: *And provided further*, That the President is authorized to enlist temporarily in service for absolutely necessary purposes in the Philippine Islands volunteers, officers and men, individually or by organization, now in those islands and about to be discharged, provided their retention shall not extend beyond the time necessary to replace them by troops authorized to be maintained under the provisions of this Act and not beyond a period of six months: *Provided, also*, That each and every provision of this Act shall continue in force until July first, nineteen hundred and one; and on and after that date all the general, staff, and line officers appointed to the Army under this Act shall be discharged and the numbers restored in each grade to those existing at the passage of this Act, and the enlisted force of the line of the Army shall be reduced to the number as provided for by a law prior to April first, eighteen hundred and ninety-eight, exclusive of such additions as have been, or may be, made under this Act to the artillery, and except the cadets provided for by this Act, who may be appointed prior to July first, nineteen hundred and one: *And provided further*, That no officer who has been, or may be, promoted under existing law, or under the rules of seniority, shall be disturbed in his rank.

SEC. 16. That the Secretary of War be, and he is hereby, authorized to permit enlisted men of the United States Army to make allotments of their pay, under such regulations as he may prescribe, for the support of their families or relatives, for their own savings, or for other purposes, during such time as they may be absent on distant duty, or under other circumstances warranting such action.

SEC. 17. That no officer or private soldier shall be detailed to sell intoxicating drinks, as a bartender or otherwise, in any post exchange or canteen, nor shall any other person be required or allowed to sell such liquors in any encampment or fort or on any premises used for military purposes by the United States; and the Secretary of War is hereby directed to issue such general order as may be necessary to carry the provisions of this section into full force and effect.

SEC. 18. That all laws or parts of laws which conflict with the provisions of this Act are hereby repealed.

**CHAP. 376.**—An Act Making an appropriation to carry out the obligations of the treaty between the United States and Spain concluded December tenth, eighteen hundred and ninety-eight. March 2, 1899.  
[Public, No. 152.]  
30 Stats. L., p. 993.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* for the purpose of carrying out the obligations of the treaty between the United States and Spain concluded at Paris on the tenth day of December, anno Domini eighteen hundred and ninety-eight, to become immediately available upon the exchange of the ratifications of said treaty, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of twenty million dollars. Spain.  
Payment to,  
of treaty of  
Paris obliga-  
tion.

**CHAP. 378.**—An Act Creating the office of Admiral of the Navy. March 2, 1899.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* the President is hereby authorized to appoint, by selection and promotion, an Admiral of the Navy, who shall not be placed upon the retired list except upon his own application; and whenever such office shall be vacated by death or otherwise the office shall cease to exist. [Public, No. 154.]  
30 Stats. L., p. 995.  
Navy.  
Grade of Ad-  
miral revived.

**CHAP. 413.**—An Act To reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States. March 3, 1899.  
[Public, No. 177.]  
30 Stats. L., p. 1004.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* the officers constituting the Engineer Corps of the Navy be, and are hereby, transferred to the line of the Navy, and shall be commissioned accordingly. Navy.  
Engineer  
Corps trans-  
ferred to line.

**SEC. 2.** That engineer officers holding the relative rank of captain, commander, and lieutenant-commander shall take rank in the line of the Navy according to the dates at which they attained such relative rank. Engineer officers graduated from the Naval Academy from eighteen hundred and sixty-eight to eighteen hundred and seventy-six, both years inclusive, shall take rank in the line next after officers in the line who graduated from the Naval Academy in the same year with them: *Provided, That* when the date of a line officer's commission as captain, commander, or lieutenant-commander and the date when the engineer officer attained the same relative rank of captain, commander, or lieutenant-commander are the same, the engineer officer shall take rank after such line officer. Engineers to  
rank in line ac-  
cording to dates  
of attaining  
relative rank.  
Engineer  
graduates from  
Naval Academy  
from 1868 to 1876.  
  
Proviso.  
Precedence to  
line officer  
where commis-  
sion of same  
date as engi-  
neer.

**SEC. 3.** That engineer officers who completed their Naval Academy course of four years from eighteen hundred and seventy-eight to eighteen hundred and eighty, both inclusive, shall take rank in the line as determined by the Academic Board under the Department's instructions of December first, eighteen hundred and ninety-seven; and engineer officers who completed their Naval Academy course of four years in eighteen hundred and eighty-one Rank in line  
of engineer com-  
pleting aca-  
demic course  
from 1878 to 1880.  
  
1881 to 1882.

*Provisos.*  
—appointments  
from civil life.

—officers com-  
pleting course  
in 1881, 1882.

Duties of en-  
gineer officers  
below rank of  
commander.

*Proviso.*  
—examination  
for line duties.

Officers trans-  
ferred for engi-  
neer duty, above  
commander, to  
have shore duty  
only.

Other engi-  
neer officers to  
perform line  
duties.

*Proviso.*  
—examination.

Composition  
of active list,  
line.

R.S., secs. 1302,  
1303, p. 245,  
amended.

*Proviso.*  
Pay rear-ad-  
miral, nine  
lower numbers.

Ensign.

Chief of bu-  
reau to rank as  
rear-admiral.

and eighteen hundred and eighty-two shall take rank in the line as determined by the merit roll of graduating classes at the conclusion of the six years' course, June, eighteen hundred and eighty-three and eighteen hundred and eighty-four: *Provided*, That those engineer officers who were appointed from civil life, and whose status is not fixed by section two of this Act, shall take rank with other line officers according to the dates of their first commissions, respectively: *And provided further*, That the engineer officers who completed their Naval Academy course of four years in eighteen hundred and eighty-one and eighteen hundred and eighty-two shall retain among themselves the same relative standing as shown on the Navy Register at the date of the passage of this Act.

SEC. 4. That engineer officers transferred to the line who are below the rank of commander, and extending down to, but not including, the first engineer who entered the Naval Academy as cadet midshipman, shall perform sea or shore duty, and such duty shall be such as is performed by engineers in the Navy: *Provided*, That any officer described in this section may, upon his own application, made within six months after the passage of this Act, be assigned to the general duties of the line, if he pass the examination now provided by law as preliminary to promotion to the grade he then holds, failure to pass not to displace such officer from the list of officers for sea or shore duty such as is performed by engineers in the Navy.

SEC. 5. That engineer officers transferred to the line to perform engineer duty only who rank as, or above, commander, or who subsequently attain such rank, shall perform shore duty only.

SEC. 6. That all engineer officers not provided for in sections four and five transferred to the line shall perform the duties now performed by line officers of the same grade: *Provided*, That after a period of two years subsequent to the passage of this Act they shall be required to pass the examinations now provided by law as preliminary to promotion to the grade they then hold, and subject to existing law governing examinations for promotion.

SEC. 7. That the active list of the line of the Navy, as constituted by section one of this Act, shall be composed of eighteen rear-admirals, seventy captains, one hundred and twelve commanders, one hundred and seventy lieutenant-commanders, three hundred lieutenants, and not more than a total of three hundred and fifty lieutenants (junior grade) and ensigns: *Provided*, That each rear-admiral embraced in the nine lower numbers of that grade shall receive the same pay and allowance as are now allowed a brigadier-general in the Army. Officers, after performing three years' service in the grade of ensign, shall, after passing the examinations now required by law, be eligible to promotion to the grade of lieutenant (junior grade): *Provided*, That when the office of chief of bureau is filled by an officer below the rank of rear admiral, said officer shall, while holding said office, have the rank of rear-admiral and receive the same pay and allowance as

are now allowed a brigadier-general in the Army: *And provided further*, That nothing contained in this section shall be construed to prevent the retirement of officers who now have the rank or relative rank of commodore with the rank and pay of that grade: *And provided further*, That all sections of the Revised Statutes which, in defining the rank of officers or positions in the Navy, contain the words "the relative rank of" are hereby amended so as to read "the rank of," but officers whose rank is so defined shall not be entitled, in virtue of their rank to command in the line or in other staff corps. Neither shall this Act be construed as changing the titles of officers in the staff corps of the Navy. No appointments shall be made of civil engineers in the Navy on the active list under section fourteen hundred and thirteen of the Revised Statutes in excess of the present number, twenty-one.

Retirement of commodores.

"With relative rank," amended.

Titles in staff corps not changed.

Appointments of civil engineers limited.

R. S., sec. 1413, p. 250.

SEC. 8. That officers of the line in the grades of captain, commander, and lieutenant-commander may, by official application to the Secretary of the Navy, have their names placed on a list which shall be known as the list of "Applicants for voluntary retirement," and when at the end of any fiscal year the average vacancies for the fiscal years subsequent to the passage of this Act above the grade of commander have been less than thirteen, above the grade of lieutenant-commander less than twenty, above the grade of lieutenant less than twenty-nine, and above the grade of lieutenant (junior grade) less than forty, the President may, in the order of the rank of the applicants, place a sufficient number on the retired list with the rank and three-fourths the sea pay of the next higher grade, as now existing, including the grade of commodore, to cause the aforesaid vacancies for the fiscal year then being considered.

Voluntary retirement.

SEC. 9. That should it be found at the end of any fiscal year that the retirements pursuant to the provisions of law now in force, the voluntary retirements provided for in this Act, and casualties are not sufficient to cause the average vacancies enumerated in section eight of this Act, the Secretary of the Navy shall, on or about the first day of June, convene a board of five rear-admirals, and shall place at its disposal the service and medical records on file in the Navy Department of all the officers in the grades of captain, commander, lieutenant-commander, and lieutenant. The board shall then select, as soon as practicable after the first day of July, a sufficient number of officers from the before-mentioned grades, as constituted on the thirtieth day of June of that year, to cause the average vacancies enumerated in section eight of this Act. Each member of said board shall swear, or affirm, that he will, without prejudice or partiality, and having in view solely the special fitness of officers and the efficiency of the naval service, perform the duties imposed upon him by this Act. Its finding, which shall be in writing, signed by all the members, not less than four governing, shall be transmitted to the President, who

Involuntary retirement.

—board to determine.



shall thereupon, by order, make the transfers of such officers to the retired list as are selected by the board: *Provided*, That not more than five captains, four commanders, four lieutenant-commanders, and two lieutenants are so retired in any one year. The promotions to fill the vacancies thus created shall date from the thirtieth day of June of the current year: *And provided further*, That any officer retired under the provisions of this section shall be retired with the rank and three-fourths the sea pay of the next higher grade, including the grade of commodore, which is retained on the retired list for this purpose.

*Provisos.*  
Limit number  
of involuntary  
retirements.  
—promotions to  
fill vacancies,  
date.

Pay of officer  
retired.

Naval con-  
structors.  
rank.  
—assistants.

*Proviso.*  
—number lim-  
ited.

Retirement  
rank, officers of  
civil war.

Warrant offi-  
cers, rank.

*Provisos.*  
—pay chief boat-  
swain, etc.

—boatswains,  
etc.

No additional  
rights to quar-  
ters, etc.

Examination.

Pay line offi-  
cers Navy to  
correspond  
with Army, etc.

*Provisos.*  
Diminished  
pay on shore.

SEC. 10. That of the naval constructors five shall have the rank of captain, five of commander, and all others that of lieutenant-commander or lieutenant. Assistant naval constructors shall have the rank of lieutenant or lieutenant (junior grade). Assistant naval constructors shall be promoted to the grade of naval constructor after not less than eight or more than fourteen years' service as assistant naval constructor: *Provided*, That the whole number of naval constructors and assistant naval constructors on the active list shall not exceed forty in all.

SEC. 11. That any officer of the Navy, with a creditable record, who served during the civil war, shall, when retired, be retired with the rank and three-fourths the sea pay of the next higher grade.

SEC. 12. That boatswains, gunners, carpenters, and sailmakers shall after ten years from date of warrant be commissioned chief boatswains, chief gunners, chief carpenters, and chief sailmakers, to rank with but after ensign:

*Provided*, That the chief boatswains, chief gunners, chief carpenters, and chief sailmakers shall on promotion have the same pay and allowances as are now allowed a second lieutenant in the Marine Corps: *Provided*, That the pay of boatswains, gunners, carpenters and sailmakers shall be the same as that now allowed by law: *Provided, fur-*

*ther*, That nothing in this Act shall give additional rights to quarters on board ship or to command, and that immediately after the passage of this Act boatswains, gunners, carpenters and sailmakers, who have served in the Navy as such for fifteen years, shall be commissioned in accordance with the provisions of this section, and thereafter no warrant officer shall be promoted until he shall have passed an examination before a board of chief boatswains, chief gunners, chief carpenters and chief sailmakers, in accordance with regulations prescribed by the Secretary of the Navy.

SEC. 13. That, after June thirtieth, eighteen hundred and ninety-nine, commissioned officers of the line of the Navy and of the Medical and Pay Corps shall receive the same pay and allowances, except forage, as are or may be provided by or in pursuance of law for the officers of corresponding rank in the Army: *Provided*, That such officers when on shore shall receive the allowances, but fifteen per centum less pay than when on sea duty; but this



provision shall not apply to warrant-officers commissioned under section twelve of this Act: *Provided further*, That when naval officers are detailed for shore duty beyond seas as they shall receive the same pay and allowances as are may be provided by or in pursuance of law for officers the Army detailed for duty in similar places: *Provided further*, That naval chaplains, who do not possess relative rank, shall have the rank of lieutenant in the Navy; and that all officers, including warrant officers, who have been or may be appointed to the Navy from civil life shall, from the date of appointment, be credited, for computing their pay, with five years' service. And all provisions of law authorizing the distribution among captors of the whole or any portion of the proceeds of vessels, or any property hereafter captured, condemned as prize, or proceeding for the payment of bounty for the sinking or destruction of vessels of the enemy hereafter occurring in time of war, are hereby repealed: *And provided further*, That no provision of this Act shall operate to reduce the present pay of any commissioned officer now in the Navy; and in any case in which the pay of such an officer would otherwise be reduced he shall continue to receive pay according to existing law: *And provided further*, That nothing in this Act shall operate to increase or reduce the pay of any officer now on the retired list of the Navy.

Detail for shore duty beyond seas.

Rank of chaplains.

Longevity credit on appointment of officers from civil life.

Prizes and bounty for destroying enemies' vessels abolished.

R.S., secs. 4630, 4631, 4632, 4633, 4634, 4635, 4643, pp. 901, 902, and 903, repealed.

Existing pay not reduced. Retired list unaffected.

SEC. 14. That upon the passage of this Act the Secretary of the Navy shall appoint a board for the examination of men for the position of warrant machinists, one hundred of whom are hereby authorized. The said examination shall be open, first, to all machinists by trade, of good record in the naval service, and if a sufficient number of machinists from the Navy are not found duly qualified, then any machinist of good character, not above thirty years of age, in civil life shall be eligible for such examination and appointment to fill the remaining vacancies. All subsequent vacancies in the list of warrant machinists shall be filled by competitive examination before a board ordered by the Secretary of the Navy, and open to all machinists by trade who are in the Navy, and machinists of good character, not above thirty years of age, in civil life authorized by the Secretary of the Navy to appear before said board, and, where candidates from civil life and from the naval service possess equal qualifications, the preference shall be given to those from the naval service.

Warrant machinists.—board to examine, etc.

SEC. 15. That the pay of warrant machinists shall be the same as that of warrant officers, and they shall be regulated under the provisions of existing law for warrant officers. Warrant machinists shall receive at first an acting appointment, which may be made permanent under regulations established by the Navy Department for other warrant officers. They shall take rank with other warrant officers according to date of appointment and shall wear such uniform as may be prescribed by the Navy Department.

Pay, etc., warrant machinists.

Term of enlistment.

R. S., 1418, p. 250, amended.

*Proviso.*

Reenlistment.

R. S., sec. 1573,

p. 269, amended.

—bounty pay for.

—increase of pay for.

Retirement of enlisted men.

*Provisos.*  
Credit for service in civil, etc., wars.

Retirement age.

Marine Corps. Composition of line.

R. S., sec. 1590, p. 272, amended.

*Provisos.*  
Vacancies, how filled.

Existing commissions unaffected.

Vacancies in grade of brigadier-general.

Original vacancies, how filled.

SEC. 16. That hereafter the term of enlistment of all enlisted men of the Navy shall be four years: *Provided*, That section fifteen hundred and seventy-three, Revised Statutes, be amended to read: "If any enlisted man or apprentice, being honorably discharged, shall reenlist for four years within four months thereafter, he shall, on presenting his honorable discharge or on accounting in a satisfactory manner for its loss, be entitled to pay during the said four months equal to that to which he would have been entitled if he had been employed in actual service; and that any man who has received an honorable discharge from his last term of enlistment, or who has received a recommendation for reenlistment upon the expiration of his last term of service of not less than three years, who reenlists for a term of four years within four months from the date of his discharge, shall receive an increase of one dollar and thirty-six cents per month to the pay prescribed for the rating in which he serves for each consecutive reenlistment."

SEC. 17. That when an enlisted man or appointed petty officer has served as such thirty years in the United States Navy, either as an enlisted man or petty officer, or both, he shall, by making application to the President, be placed on the retired list hereby created, with the rank held by him at the date of retirement; and he shall thereafter receive seventy-five per centum of the pay and allowances of the rank or rating upon which he was retired: *Provided*, That if said enlisted man or appointed petty officer had active service in the Navy or in the Army or Marine Corps, either as volunteer or regular, during the civil or Spanish-American war, such war service shall be computed as double time in computing the thirty years necessary to entitle him to be retired: *And provided further*, That applicants for retirement under this section shall, unless physically disqualified for service, be at least fifty years of age.

SEC. 18. That from and after the date of the approval of this Act the active list of the line officers of the United States Marine Corps shall consist of one brigadier-general commandant, five colonels, five lieutenant colonels, ten majors, sixty captains, sixty first lieutenants and sixty second lieutenants: *Provided*, That vacancies in all grades in the line created by this section shall be filled as far as possible by promotion by seniority from the line officers on the active list of said Corps: *And provided further*, That the commissions of officers now in the Marine Corps shall not be vacated by this act: *And provided further*, That vacancies in the grade of brigadier-general shall be filled by selection from officers on the active list of the Marine Corps not below the grade of field officer.

SEC. 19. That the vacancies existing in said Corps after the promotions and appointments herein provided for shall be filled by the President from time to time, whenever the actual needs of the naval service require it, first, from the graduates of the Naval Academy in the manner now provided by law; or second, from those who are serv-

ing or who have served as second lieutenants in the Marine Corps during the war with Spain; or, third, from meritorious noncommissioned officers of the Marine Corps; or, fourth, from civil life: *Provided*, That after said vacancies are once filled there shall be no further appointments from civil life.

*Proviso.*  
No appointments from civil life after existing vacancies filled.

SEC. 20. That no person except such officers or former graduates of the Naval Academy as have served in the war with Spain, as hereinbefore provided for, shall be appointed a commissioned officer in the Marine Corps who is under twenty or over thirty years of age; and that no person shall be appointed a commissioned officer in said corps until he shall have passed such examination as may be prescribed by the President of the United States, except graduates of the Naval Academy, as above provided. That the officers of the Marine Corps above the grade of captain, except brigadier-general, shall, before being promoted, be subject to such physical, mental and moral examination as is now, or may hereafter be, prescribed by law for other officers of the Marine Corps.

Age limit, appointments; examination.

SEC. 21. That upon the passage of this Act not more than forty-five of the captains, forty-five first lieutenants and forty-five second lieutenants herein provided for shall be appointed; fifteen captains, fifteen first lieutenants and fifteen second lieutenants to be appointed subsequently to January first, nineteen hundred.

Immediate appointments.

SEC. 22. That the staff of the Marine Corps shall consist of one adjutant and inspector, one quartermaster and one paymaster, each with the rank of colonel; one assistant adjutant and inspector, two assistant quartermasters and one assistant paymaster, each with the rank of major; and three assistant quartermasters with the rank of captain. That the vacancies created by this Act in the departments of the adjutant and inspector and paymaster shall be filled first by promotion according to seniority of the officers in each of these departments respectively, and then by selection from the line officers on the active list of the Marine Corps not below the grade of captain, and who shall have seen not less than ten years' service in the Marine Corps. That the vacancies created by this Act in the quartermaster's department of said corps shall be filled, first by promotion according to seniority of the officers in this department, and then by selection from the line officers on the active list of said corps not below the grade of first lieutenant: *Provided*, That all vacancies hereafter occurring in the staff of the Marine Corps shall be filled first by promotion according to seniority of the officers in their respective departments, and then by selection from officers of the line on the active list, as hereinbefore provided for.

Staff, composition.

Vacancies, how filled.  
R. S., sec. 1602, p. 273, amended.

*Proviso.*  
—subsequent vacancies.

SEC. 23. That the enlisted force of the Marine Corps shall consist of five sergeant majors, one drum major, twenty quartermaster sergeants, seventy-two gunnery sergeants with the rank and allowance of the first sergeant, and whose pay shall be thirty-five dollars per month; sixty

Enlisted force.

first sergeants; two hundred and forty sergeants; four hundred and eighty corporals; eighty drummers; eighty trumpeters; and four thousand nine hundred and sixty-two privates.

**Band.** SEC. 24. That the band of the United States Marine Corps shall consist of one leader, with the pay and allowances of a first lieutenant; one second leader, whose pay shall be seventy-five dollars per month, and who shall have the allowances of a sergeant major; thirty first class musicians, whose pay shall be sixty dollars per month; and thirty second class musicians whose pay shall be fifty dollars per month and the allowances of a sergeant; such musicians of the band to have no increased pay for length of service.

**Oath of allegiance.** SEC. 25. That the oath of allegiance now provided for the officers and men of the Army and Marine Corps shall be administered hereafter to the officers and men of the Navy.

**Repeal.** SEC. 26. That all acts and parts of acts, so far as they conflict with the provisions of this Act, are hereby repealed.

March 3, 1899. **CHAP. 421.**—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes.  
[Public.No.185.]  
30 Stats. L., p.  
1024.

\* \* \* \*

PAY OF THE NAVY.

\* \* \* \*

**Payment to temporary officers for service performed before date of commission.** The Secretary of the Navy is hereby authorized to pay to such officers as were appointed for temporary service in the Navy during the late war with Spain, and who entered upon the performance of duty prior to the date on which they accepted their commissions and executed oaths of office, the pay of their grades for the interval during which they were so employed, such payments to be made from the appropriation "Pay of the Navy."

\* \* \* \*

BUREAU OF ORDNANCE.

\* \* \* \*

**Transfer to Yale University of Maxim guns presented by students.** The Secretary of the Navy is hereby authorized to transfer to the officers of Yale University the custody of the two Maxim rapid-fire guns, with their mounts and the stand of colors, presented by its students and graduates to the United States at the opening of the war with Spain for use upon the auxiliary cruiser Yale, to be retained until said guns may be required for use by the Government.

\* \* \* \*

BUREAU OF EQUIPMENT.

\* \* \* \*

**Ocean and lake surveys.** OCEAN AND LAKE SURVEYS: Ocean and lake surveys; the publication and care of the results thereof; the pur-

use of nautical books, charts, and sailing directions, and  
eight and express charges on the same; preparing and  
engraving on copperplates the surveys of the Mexican  
coasts, and the publication of a series of charts of the coasts  
Central and South America, and for surveys of the im-  
perfectly known parts of the coasts and harbors of the  
Philippine Archipelago, and the islands of Cuba and Porto  
Rico, with their bordering keys and waters and the minor  
adjacent islands; to be made immediately available, one  
hundred thousand dollars.

\* \* \* \* \*

BUREAU OF SUPPLIES AND ACCOUNTS.

\* \* \* \* \*

The active list of passed assistant and assistant pay-  
masters of the Pay Corps shall hereafter consist of thirty  
and forty, respectively: *Provided*, That when such ap-  
pointments of assistant paymasters are made from among  
those who served honorably as such in the late war with  
Spain the age limit may be increased to forty-five years.

Passed assist-  
ant and assist-  
ant paymasters.  
Number in-  
creased.  
*Proviso.*  
—age limit.

\* \* \* \* \*

The President is hereby authorized to appoint, by selec-  
tion and promotion, an Admiral of the Navy, who shall  
not be placed upon the retired list except upon his own  
application; and whenever such office shall be vacated by  
death or otherwise the office shall cease to exist.

Admiral of  
the Navy.  
Grade re-  
vived.

**CHAP. 423.**—An Act Making appropriation for the support of  
the Regular and Volunteer Army for the fiscal year ending June  
thirtieth, nineteen hundred.

March 3, 1899.  
[Public, No. 187.]  
30 Stat. L., p.  
1064.

\* \* \* \* \*

PAY OF OFFICERS OF THE LINE.

\* \* \* \* \*

For pay of the company commissioned officers in each  
regiment of the special or immune regiments their sala-  
ries from the time each organized company reported at  
 rendezvous as a company for service until said officers  
were commissioned; and for pay of the regimental com-  
missioned officers their salaries from the time the regi-  
ment was mustered into service until said officers were  
discharged, seventy-five thousand dollars, or so much  
thereof as may be necessary: *Provided*, That such com-  
pany and regimental officers shall be paid only from the  
time when they personally reported for duty.

Payment of  
company com-  
missioned offi-  
cers, immunes,  
before commis-  
sioned, etc.

*Proviso.*  
—payment from  
date of report-  
ing for duty.

\* \* \* \* \*

MISCELLANEOUS.

\* \* \* \* \*

For mileage to officers and contract surgeons, when au-  
thorized by law, five hundred thousand dollars: \* \* \*  
*Provided further*, That actual expenses only shall be paid

Mileage to of-  
ficers.

to officers when traveling to and from our island possessions in the Atlantic and Pacific oceans.

\* \* \* \* \*

#### SUBSISTENCE DEPARTMENT.

\* \* \* \* \*

Supplies for Cubans. Subsistence supplies to be issued to inhabitants of the island of Cuba who are destitute and in imminent danger of perishing unless they receive the same, one hundred thousand dollars.

\* \* \* \* \*

#### ORDNANCE DEPARTMENT.

\* \* \* \* \*

Manufacturing arms, etc. Manufacture, repairing, procuring, and issuing arms at the national armories, including machinery, tools, and fixtures for their manufacture: *Provided*, That on appli-

*Proviso.*  
Replacing ord-  
nance, etc., to  
States used by  
volunteers,  
Spanish war. cation of the governor of any State or Territory the Secretary of War is authorized to replace the ordnance and ordnance stores which the volunteers from said State or Territory carried into the service of the United States Army during the recent war with Spain, and which have been retained by the United States, eight hundred thousand dollars.

\* \* \* \* \*

Extra pay on muster out, enlistments in Regular Army for Spanish war. That all enlisted men in the Regular Army who enlisted subsequent to the declaration of war for the war only and mustered out of the service who have served honestly and faithfully beyond the limits of the United States shall be paid two months' extra pay on muster out and discharge from the service, and all enlisted men in the Regular Army who enlisted subsequent to the declaration of war for the war only and mustered out of the service who have served honestly and faithfully within the limits of the United States shall be paid one month's extra pay on muster out and discharge from the service from any money in the Treasury not otherwise appropriated, said moneys to be immediately available.

Extra pay on muster out, payable to legal representatives. That the act of January twelfth, eighteen hundred and ninety-nine, be, and it is hereby, amended so as to authorize the payment to the legal heirs or representatives of the officers and enlisted men who died or were killed or who may die in the service, the extra pay provided for in that Act for officers and enlisted men who have been or are to be mustered out.

\* \* \* \* \*

Payment of volunteers effected as fully as though part of Regular Army. *Provided*, That the provisions of this Act shall apply for the payment of volunteers as fully as though they formed part of the Regular Army.

No concessions, franchises, etc., granted in Cuba during military occupation. SEC. 2. That no property, franchises, or concessions of any kind whatever shall be granted by the United States, or by any military or other authority whatever, in the Island of Cuba during the occupation thereof by the United States.



**CHAP. 427.**—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for prior years, and for other purposes. March 3, 1899.  
[Public, No. 191.]  
30 Stat. L., p. 1214.

\* \* \* \* \*

## WAR DEPARTMENT.

\* \* \* \* \*

To enable the Secretary of War to pay the accounts set forth in House Document Numbered Two hundred and twenty-two, of this session, for publishing advertisements for fuel, recruits, horses, and so forth, for the Army during the war with Spain, one thousand two hundred and fifty-three dollars and thirty-three cents. Advertising expenses.

## MILITARY ESTABLISHMENT.

Military establishment.

**CONTINGENCIES OF THE ARMY:** To pay amounts found due by the accounting officers of the Treasury on account of the appropriation "Contingencies of the Army," for the fiscal year eighteen hundred and ninety-eight, thirty-nine dollars and forty-eight cents. Contingencies.

For emergency fund to meet unforeseen contingencies constantly arising, to be expended at the discretion of the President, three million dollars. Emergency fund.

\* \* \* \* \*

**QUARTERMASTER'S DEPARTMENT:** \* \* \* For transportation of the Army and its supplies, namely: \* \* \* the expenses of sailing public transports on the various coasts, the Gulf of Mexico, and the Atlantic and Pacific oceans; for procuring water, and introducing the same to buildings, at such posts as from their situation require it to be brought from a distance, and for the disposal of sewage and drainage, and for constructing roads and wharves, including not exceeding one million five hundred thousand dollars for transportation of Spanish prisoners held by the United States and by the insurgents in the Philippine Islands, from those islands to Spain, as provided by the Treaty of Paris; \* \* \* eight million five hundred thousand dollars. Transportation.  
Repatriating Spanish prisoners.

To enable the Secretary of War, in his discretion, to cause to be transported to their homes the remains of officers and soldiers who die at military camps or who are killed in action or who die in the field at places outside of the limits of the United States, one hundred thousand dollars. Transporting remains of officers, etc.

That in all cases where an officer or an enlisted man in either the Army, Navy, Marine Corps of the United States, or contract surgeon or trained nurse in the employ of the Government, has died while on duty away from home since the first day of January, eighteen hundred and ninety-eight, and the remains have been taken home and buried at the expense of the family or friends of the deceased, the parties who paid the cost of transportation and burying such remains shall be repaid at the expense of the Reimbursement of family, etc., for bringing home dead soldiers.

United States by the Secretary of the Treasury, not to exceed what it would have cost the United States to have transported the remains to their homes.

\* \* \* \* \*

NAVY DEPARTMENT.

\* \* \* \* \*

NAVAL ESTABLISHMENT.

\* \* \* \* \*

Extra pay on discharge for temporary force.

The officers and enlisted men comprising the temporary force of the Navy during the war with Spain who served creditably beyond the limits of the United States, and who have been or may hereafter be discharged, shall be paid two months' extra pay; and all such officers and enlisted men of the Navy who have so served within the limits of the United States, and who have been or may hereafter be discharged, shall be paid one month's extra pay.

\* \* \* \* \*

POST-OFFICE DEPARTMENT.

\* \* \* \* \*

OUT OF THE POSTAL REVENUE.

\* \* \* \* \*

Post-offices, military camps.

POST-OFFICES AT MILITARY POSTS: For establishment and maintenance during the existing war, and during the military occupation of Cuba, Porto Rico, and the Philippine Islands in the discretion of the Postmaster-General, of temporary post-offices at military posts or camps for the purpose of supplying the officers and troops there encamped with mails, the location of any such post-office to be changed to any other post or camp, in the discretion of the Postmaster-General, one hundred and fifty thousand dollars.

March 3, 1899.  
[Public No. 200.]  
30 Stats. L., p. 1350.

CHAP. 436.—An Act To amend an Act entitled "An Act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes."

Army.  
Suspension of certain provisions of law.  
Laws, 2d sess. 55th Cong., p. 483.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* an Act entitled "An Act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes," approved June seventh, eighteen hundred and ninety-eight, is hereby amended so as to read as follows:

"That the operation of the following provisions of law be, and is hereby, continued suspended for such further time as, in the discretion of the Secretary of War, may be found necessary, or until otherwise provided by Congress, not longer, however, than March first, nineteen hundred, namely:

"First. The provision of the first section of the Act entitled 'An Act making appropriations for the support of

e Army for the fiscal year ending June thirtieth, eight-  
n hundred and eighty-nine, and for other purposes,' in  
e following words:

“‘*Provided*, That hereafter no part of this appropria- <sup>Provisos.</sup>  
on shall be expended in the purchase for the Army of <sup>Limit of draft</sup>  
raft animals until the number on hand shall be reduced <sup>animals.</sup>  
five thousand, and thereafter shall only be expended  
r the purchase of a number sufficient to keep the supply  
to five thousand.’

“Second. The provisions of the first section of the Act <sup>Laws, 2d sess.</sup>  
titled ‘An Act making appropriations for the support <sup>55th Cong., p.</sup>  
the Army for the fiscal year ending June thirtieth,  
ghteen hundred and ninety-nine, and for other pur-  
ses,’ in the following words:

“‘*Provided*, That hereafter no part of the appropria- <sup>Quartermas-</sup>  
ons for the Quartermaster’s Department shall be ex- <sup>ter’s Depart-</sup>  
nded on printing unless the same shall be done by <sup>ment.</sup>  
ntract, after due notice and competition, except in such <sup>—printing for,</sup>  
ses as the emergency will not admit of the giving notice <sup>etc.</sup>  
r competition: *Provided further*, That after advertise- <sup>—purchases</sup>  
ent all the supplies for the use of the various depart- <sup>where cheapest,</sup>  
ents and posts of the Army and of the branches of the <sup>etc.</sup>  
myservice shall hereafter be purchased where the same <sup>Laws, 2d sess.</sup>  
n be purchased the cheapest in the markets of the <sup>55th Cong., p.</sup>  
nited States, quality and cost of transportation and the <sup>323.</sup>  
terest of the Government considered, except that pur-  
ases may be made in open market, in the manner com-  
on among business men, when the aggregate amount  
quired does not exceed two hundred dollars, but every  
ch purchase shall be immediately reported to the Secre-  
ry of War.’

“And the words:

“‘*Provided*, That the number of horses purchased un- <sup>—purchase of</sup>  
r this appropriation, added to the number on hand, shall <sup>horses; limit,</sup>  
t at any time exceed the number of enlisted men and <sup>etc.</sup>  
idian scouts in the mounted service, and that no part of <sup>Laws, 2d sess.</sup>  
is appropriation shall be paid out for horses not pur- <sup>55th Cong., p.</sup>  
ased by contract, after competition duly invited by the <sup>323.</sup>  
uartermaster’s Department, and an inspection by such  
partment, all under the direction and authority of the  
ecretary of War.’

“And the words:

“‘*Provided*, That no more than one million dollars of <sup>—civilian em-</sup>  
e sums appropriated by this Act shall be paid out for <sup>ployees; limit.</sup>  
e services of civilian employees in the Quartermaster’s  
epartment, including those heretofore paid out of the  
unds appropriated for regular supplies, incidental ex-  
nses, barracks and quarters, army transportation, cloth-  
g, camp and garrison equipage; that no employee paid  
erefrom shall receive a salary more than one hundred  
nd fifty dollars per month unless the same be specially  
ked by law.’

“Third. So much of the Act approved March fifteenth, <sup>Ordnance De-</sup>  
ghteen hundred and ninety-eight, entitled ‘An Act mak- <sup>partment.</sup>  
g appropriations for the support of the Army for the <sup>Laws, 2d sess.</sup>  
scal year ending June thirtieth, eighteen hundred and <sup>55th Cong., p.</sup>  
nety-nine,’ under the heading ‘Ordnance Department,’ <sup>318.</sup>  
<sup>Civilian</sup>  
<sup>clerks; limit.</sup>

as provides that not more than sixty-five thousand dollars of the money appropriated for the Ordnance Department in all its branches shall be applied to the payment of civilian clerks in said department."

Admission  
free of war ma-  
terials.

SEC. 2. That during the time the operation of the foregoing provisions of law shall remain so suspended pursuant to this Act materials required by the War Department may, in the discretion of the Secretary of War, be purchased abroad, and shall be admitted free of duty.

Purchases  
without adver-  
tisement.

SEC. 3. That during the same time the Bureau of Ordnance of the War Department is authorized to purchase without advertisement such ordnance and ordnance stores as are needed for immediate use; and when such ordnance and ordnance stores are to be manufactured, then to make contracts without advertisement for such stores, to be delivered as rapidly as manufactured.

February 25,  
1899.  
[Pub. Res., No.  
17.]  
30 Stats. L., p.  
1389.

[No. 17.] Joint Resolution Authorizing the Secretary of the Navy to pay certain laborers, workmen, and mechanics at United States navy-yards and naval stations fifty per centum additional for work performed in excess of eight hours per diem.

Navy.  
Additional  
pay for laborers  
at navy-yards,  
etc., who have  
worked more  
than eight  
hours.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and directed to pay fifty per centum additional for all work in excess of eight hours per diem performed by laborers, workmen, and mechanics whose compensation is fixed upon a basis of eight hours per diem, and who, between March eighteenth, eighteen hundred and ninety-eight, and October thirty-first, eighteen hundred and ninety-eight, were employed at any United States navy-yard or naval station, and who worked in excess of eight hours per day and have not already received said additional compensation; the amount due each laborer, workman, and mechanic affected by the above to be based upon the time records of the several bureaus at the navy-yard or naval station where the work was performed.*

*Fifty-sixth Congress, first session.*

February 3, 1900.  
[Public, No. 8.]  
31 Stats. L., p.  
5.

**CHAP. 8.**—An Act To present to the city of Nashville, State of Tennessee, the cannon on the gunboat Nashville from which was fired the first shot in the Spanish-American war.

Nashville,  
Tenn.  
Presentation  
to, authorized of  
certain cannon.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized and directed to condemn and detach from the gunboat Nashville the cannon from which was fired the first shot in the Spanish-American war and to deliver the same to the said city of Nashville, to be placed in some public place in that city, the title to the said cannon to be vested in the said city: Provided, That no expense shall be caused to the United States through delivery of said cannon.*

Proviso.  
Expense of de-  
livery.

**CHAP. 9.**—An Act Authorizing payment of commutation of February 7, 1900.  
ration to the petty officers of the Navy who served on detached duty [Public, No. 9.]  
between March first, eighteen hundred and ninety-eight, and Novem- 31 Stats. L., p.  
ber fourth, eighteen hundred and ninety-nine. 5.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* Navy.  
*the petty officers of the Navy who served on detached duty of* Commutation  
*between March first, eighteen hundred and ninety-eight, of rations al-*  
*and November fourth, eighteen hundred and ninety-nine, lowed certain*  
*be, and hereby are, allowed commutation of ration for petty officers.*  
*the time they so served.*

**CHAP. 14.**—An Act Making appropriations to supply urgent February 9, 1900.  
deficiencies in the appropriations for the fiscal year ending June [Public, No. 14.]  
thirtieth, nineteen hundred, and for prior years, and for other pur- 31 Stats. L., p.  
poses. 7.

\* \* \* \* \*

WAR DEPARTMENT.

\* \* \* \* \*

MILITARY ESTABLISHMENT.

Army.

Out of the aggregate balances remaining unexpended Vol. 30, pp. 390,  
July first, eighteen hundred and ninety-nine, of the ap- 437, 696.  
propriations made by the deficiency appropriation Acts  
approved May fourth and June eighth, eighteen hundred  
and ninety-eight, respectively, and by section two of the  
deficiency appropriation Act approved July seventh,  
eighteen hundred and ninety-eight, for the six months  
beginning July first, eighteen hundred and ninety-eight,  
on account of war expenses under the titles "War Depart-  
ment" and "Military establishment," and reappropriated  
by the Act approved January fifth, eighteen hundred and  
ninety-nine, for the last six months of the fiscal year  
eighteen hundred and ninety-nine, there is hereby reap-  
propriated and made available for expenditure during the  
fiscal year nineteen hundred, for objects hereinafter speci-  
fied under the title "Military establishment," the follow-  
ing sums, namely:

\* \* \* \* \*

QUARTERMASTER'S DEPARTMENT.

\* \* \* \* \*

**TRANSPORTATION OF THE ARMY AND ITS SUPPLIES:**  
\* \* \* the expenses of sailing public transports on the  
various rivers, the Gulf of Mexico, and the Atlantic and  
Pacific oceans; for procuring water, and introducing the  
same to buildings, at such posts as from their situation  
require it to be brought from a distance, and for the dis-  
posal of sewage and drainage, and for constructing roads  
and wharves; including not exceeding seven hundred and

fifty thousand dollars for transportation of Spanish prisoners held by the United States and by the insurgents in the Philippine Islands from those islands to Spain, as provided by the Treaty of Paris; \* \* \* twenty million seven hundred and fifty thousand dollars.

\* \* \* \* \*

Transporting  
soldiers' re-  
mains.

To enable the Secretary of War, in his discretion, to cause to be transported to their homes the remains of officers and soldiers who die at military camps or who are killed in action or who die in the field at places outside of the limits of the United States, one hundred thousand dollars.

\* \* \* \* \*

February 24,  
1900.

[Public, No. 24.]  
81 Stats. L., p.  
32.

**CHAP. 24.**—An Act To amend an Act entitled “An Act to amend an Act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes.”

Army.  
Suspension of  
certain provi-  
sions of law.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That an Act entitled “An Act to amend an Act entitled ‘An Act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes,’ approved March third, eighteen hundred and ninety-nine, is hereby amended so as to read as follows:

“That the operation of the following provisions of law be, and is hereby, continued suspended for such further time as, in the discretion of the Secretary of War, may be found necessary, or until otherwise provided by Congress, not longer, however, than June thirtieth, nineteen hundred and one:

“First. The provision of the first section of the Act entitled ‘An Act making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-nine, and for other purposes,’ in the following words:

Proviso.  
Limit of draft  
animals.

“‘Provided, That hereafter no part of this appropriation shall be expended in the purchase for the Army of draft animals until the number on hand shall be reduced to five thousand, and thereafter shall only be expended for the purchase of a number sufficient to keep the supply up to five thousand.’

“Second. The provisions of the first section of the Act entitled ‘An Act making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for other purposes,’ in the following words:

Quartermas-  
ter's Depart-  
ment.  
—printing for,  
etc.

“‘Provided, That hereafter no part of the appropriations for the Quartermaster's Department shall be expended on printing unless the same shall be done by contract, after due notice and competition, except in such cases as the emergency will not admit of the giving notice for competition: *Provided further,* That after advertisement, all the supplies for the use of the various depart-

—purchases  
where cheapest,  
etc.



ments and posts of the Army and of the branches of the Army service shall hereafter be purchased where the same can be purchased the cheapest in the markets of the United States, quality and cost of transportation and the interest of the Government considered, except that purchases may be made in open market, in the manner common among business men, when the aggregate amount required does not exceed two hundred dollars, but every such purchase shall be immediately reported to the Secretary of War.'

"And the words:

"*Provided*, That the number of horses purchased under this appropriation, added to the number on hand, shall not at any time exceed the number of enlisted men and Indian scouts in the mounted service, and that no part of this appropriation shall be paid out for horses not purchased by contract, after competition duly invited by the Quartermaster's Department and an inspection by such department, all under the direction and authority of the Secretary of War.'

—purchase of horses; limit, etc.

"And the words:

"*Provided*, That not more than one million dollars of the sums appropriated by this Act shall be paid out for the services of civilian employees in the Quartermaster's Department, including those heretofore paid out of the funds appropriated for regular supplies, incidental expenses, barracks and quarters, army transportation, clothing, camp and garrison equipage; that no employee paid herefrom shall receive a salary more than one hundred and fifty dollars per month unless the same be specially fixed by law.'

—civilian employees; limit.

"Third. So much of the Act approved March fifteenth, eighteen hundred and ninety-eight, entitled 'An Act making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine,' under the heading 'Ordnance Department,' provides that not more than sixty-five thousand dollars of the money appropriated for the Ordnance Department in all its branches shall be applied to the payment of civilian clerks in said department."

Ordnance Department. Civilian clerks: limit.

SEC. 2. That during the time the operation of the foregoing provisions of law shall remain so suspended pursuant to this Act, materials required by the War Department may, in the discretion of the Secretary of War, be purchased abroad and shall be admitted free of duty.

Admission free of duty of war materials.

SEC. 3. That during the same time the Bureau of Ordnance of the War Department is authorized to purchase, without advertisement, such ordnance and ordnance stores as are needed for immediate use; and when such ordnance and ordnance stores are to be manufactured, then to make contracts without advertisement for such stores, to be delivered as rapidly as manufactured.

Purchases without advertisement.

March 30, 1900. **CHAP. 118.**—An Act Making appropriations to supply additional urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred, and for prior years, and for other purposes.  
[Public, No. 51.]  
31 Stats. L., p. 54.

\* \* \* \* \*

NAVAL ESTABLISHMENT.

\* \* \* \* \*

Bureau of Equipment. **BUREAU OF EQUIPMENT.**

Philippine Islands. For the installation of a suitable equipment plant in the Philippine Islands, thirty thousand dollars.

\* \* \* \* \*

April 18, 1900. **CHAP. 244.**—An Act Repealing section forty-seven hundred and sixteen of the Revised Statutes, so far as the same may be applicable to the claims of dependent parents of soldiers, sailors, and marines who served in the Army or Navy of the United States during the war with Spain.  
[Public, No. 73.]  
31 Stats. L., p. 136.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That*  
Pensions. Dependent parents of soldiers, etc., who served in the Confederate army and in the war with Spain may be pensioned.  
R. S., sec. 4716, p. 919. section forty-seven hundred and sixteen of the Revised Statutes be, and the same is hereby, repealed, so far as the same may be applicable to the claims to pension of dependent parents of soldiers, sailors, and marines who served in the Army or Navy of the United States during the war with Spain.

May 26, 1900. **CHAP. 586.**—An Act Making appropriation for the support of the Regular and Volunteer Army for the fiscal year ending June thirtieth, nineteen hundred and one.  
[Public, No. 123.]  
31 Stats. L., p. 205.

\* \* \* \* \*

Enlisted men. **RETIRED ENLISTED MEN.**

*For pay of the enlisted men of the Army on the retired list, six hundred thousand dollars: Provided, That hereafter, in computing length of service for retirement, credit shall be given the soldier for double the time of his actual service in Porto Rico, Cuba, or in the Philippine Islands.*  
Proviso. Credit for service in Porto Rico, etc.

MISCELLANEOUS.

\* \* \* \* \*

Mileage to officers. Actual expenses to island possessions. Sea travel on discharge to island possessions, etc. For mileage to officers and contract surgeons, when authorized by law, five hundred thousand dollars: \* \* \* *And provided further, That actual expenses only shall be paid to officers for sea travel when traveling, as herein provided for, to, from, or between our island possessions: \* \* \* Provided further, That for sea travel on discharge, to, from, or between our island possessions, actual expenses only shall be paid to officers and transportation and subsistence only shall be furnished to enlisted men.*

\* \* \* \* \*

For additional twenty per centum increase on pay of enlisted men, four million five hundred and twenty-four thousand seven hundred and fifteen dollars: *Provided*, That hereafter the pay proper of all officers and enlisted men serving in Porto Rico, Cuba, the Philippine Islands, Hawaii, and in the Territory of Alaska, shall be increased ten per centum for officers and twenty per centum for enlisted men over and above the rates of pay proper as fixed by law in time of peace: *Provided further*, That enlisted men receiving or entitled to the twenty per centum increased pay herein authorized shall not be entitled to or receive any additional increased compensation for what is known as extra or special duty.

Twenty per cent increase, enlisted men.  
*Proviso.*  
Increase for service in Porto Rico, etc.

No extra-duty pay.

\* \* \* \* \*

SUBSISTENCE DEPARTMENT.

\* \* \* \* \*

Subsistence of the masters, officers, crews, and employees of the vessels of the army transport service, two hundred and nineteen thousand four hundred and ninety-two dollars and seventy-five cents.

Transport service. Expenses.

\* \* \* \* \*

QUARTERMASTER'S DEPARTMENT.

\* \* \* \* \*

\* \* \* To enable the Secretary of War, in his discretion, to cause to be transported to their homes the remains of civilian employees of the Army, who have died, or may hereafter die, while in the employ of the War Department in Cuba, Puerto Rico, Hawaii, and the Philippines, including the remains of any honorably discharged soldiers who are entitled under the terms of their discharge to return transportation on Government transport and who die while on said transport, the sum of one hundred thousand dollars, which is hereby appropriated and made immediately available for the above purpose as long as may be required.

Transporting remains of civilian employees, etc., from Cuba, etc.

\* \* \* \* \*

ORDNANCE DEPARTMENT.

\* \* \* \* \*

Hereafter the following persons only shall be entitled to the benefits of the National Home for Disabled Volunteer Soldiers and may be admitted thereto upon the order of a member of the Board of Managers, namely: All honorably discharged officers, soldiers, and sailors who served in the regular or volunteer forces of the United States in any war in which the country has been engaged, who are disabled by disease, wounds, or otherwise, and who have no adequate means of support, and by reason of such disability are incapable of earning their living.

Volunteer Soldiers' Home.

Who may be admitted.

That the Act approved January twelfth, eighteen hundred and ninety-nine, granting "extra pay to officers and enlisted men of the United States Volunteers," shall extend to all volunteer officers of the general staff who have

Extent of act granting extra pay on muster out in lieu of furlough.

not received waiting orders pay prior to discharge, at the rate of one month to those who did not serve beyond the limits of the United States and two months to those who served beyond the limits of the United States; and officers and enlisted men of volunteer organizations, who have served honestly and faithfully in the Volunteer Army of the United States during the war with Spain and have been honorably discharged without furlough, or by reason of their services being no longer required, or at any time by reason of wounds received, or disability contracted in the service and in the line of duty, and who have not received the extra pay granted in said Act or in subsequent Acts of Congress supplemental thereto: And this Act shall be deemed to apply to officers of volunteers who resigned and enlisted men of volunteers who were discharged upon their own applications subsequent to the issue of orders for the muster out of their organizations and prior to the dates of muster out.

June 2, 1900. **CHAP. 613.**—An Act Making appropriations for the service of  
[Public, No. 138.] the Post-Office Department for the fiscal year ending June thirtieth,  
31 Stats. L., p. nineteen hundred and one.  
252.

\* \* \* \*

OFFICE OF THE POSTMASTER-GENERAL.

\* \* \* \*

For service in newly acquired territory, etc. For postal service in the newly acquired territory in Porto Rico, the Hawaiian Islands, and the Philippine Islands, or territory held by military occupation, and for additional transportation to and from said territory, also including postal service for all military camps or stations, to be used in the discretion of the Postmaster-General, two hundred thousand dollars: *Provided*, That the sum of twenty thousand dollars be and the same is hereby appropriated, out of this appropriation, to maintain the postal service in Porto Rico during the months of May and June, in the year nineteen hundred, to be immediately available.

Proviso.

Porto Rico.

\* \* \* \*

June 6, 1900. **CHAP. 785.**—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth,  
[Public, No. 157.] 31 Stats. L., p. nineteen hundred, and for prior years, and for other purposes.  
280.

\* \* \* \*

TREASURY DEPARTMENT.

CONTINGENT EXPENSES.

\* \* \* \*

That the proper accounting officers, in settling the accounts of Major Francis S. Dodge, paymaster, United States Army, are hereby directed to credit the said Major Francis S. Dodge, paymaster, United States Army, with

Maj. Francis S. Dodge.  
Credit in ac-  
counts of.

the sum of two hundred and five dollars, the amount of a shortage found to exist in a certain sealed box supposed to contain one thousand silver dollars, Government funds, shipped from New York City as a part of an amount designed for payment to the Cuban army, but which, upon being opened in the presence of witnesses, was found to contain only seven hundred and ninety-five dollars.

\* \* \* \* \*

WAR DEPARTMENT.

\* \* \* \* \*

REPAYMENT TO C. B. CARLISLE: For repayment of amount stopped from pay of Chaplain C. B. Carlisle, Second United States Volunteers, on account of subsistence stores erroneously distributed by him to Second United States Volunteers at Holguin, Cuba, in April, eighteen hundred and ninety-nine, one hundred and forty-seven dollars and one cent. C. B. Carlisle.  
Repayment

ADJUSTMENT OF ACCOUNTS OF MAJOR J. B. BELLINGER: On account of duties resulting from the war with Spain, the time prescribed by law, Act of July thirty-first, eighteen hundred and ninety-four, for the settlement of his accounts having expired, the accounting officers of the Treasury be, and they are hereby, authorized to reopen, adjust, and settle the accounts of Captain J. B. Bellinger, assistant quartermaster, United States Army, late disbursing officer of the Military Academy at West Point, New York, involving appropriations for the fiscal years eighteen hundred and ninety-five, eighteen hundred and ninety-six, and eighteen hundred and ninety-seven, on the principles of equity and justice, and to give credit for such disbursements as shall be shown to have been actually and honestly made in good faith and have accrued to the benefit of the Government: *Provided*, That the total credits allowed under the provisions of this Act shall not be more than eleven thousand five hundred and eight dollars and seventy-two cents for the fiscal year eighteen hundred and ninety-five, two thousand two hundred and twenty-eight dollars and nine cents for the fiscal year eighteen hundred and ninety-six, and eleven thousand and fifty-five dollars and sixty-four cents for the fiscal year eighteen hundred and ninety-seven. Maj. J. B. Bellinger.  
Adjustment  
of accounts of.  
Vol. 28, p. 205.  
  
Proviso.  
—limited total  
credits, etc.

\* \* \* \* \*

POST-OFFICE DEPARTMENT.

\* \* \* \* \*

OUT OF THE POSTAL REVENUES.

\* \* \* \* \*

MILITARY POSTAL SERVICE: To pay amounts set forth in House Document Numbered Six hundred and forty-two and Senate Document Numbered Four hundred and thirteen, of this session, fiscal year eighteen hundred and ninety-nine, forty-seven thousand eight hundred and thirty-three dollars and forty-one cents. Military service.

\* \* \* \* \*

June 6, 1900. **CHAP. 791.**—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, 1901, and for other purposes.  
[Public, No. 163.] 81 Stats. L., p. 598.

\* \* \* \*

MISCELLANEOUS OBJECTS, WAR DEPARTMENT.

\* \* \* \*

Bringing home deceased soldiers. **BRINGING HOME THE REMAINS OF OFFICERS AND SOLDIERS WHO DIE ABROAD:** To enable the Secretary of War, in his discretion, to cause to be transported to their homes the remains of officers and soldiers who die at military camps or who are killed in action or who die in the field or hospital at places outside of the limits of the United States, or who die while on voyage at sea, one hundred thousand dollars.

\* \* \* \*

June 7, 1900. **CHAP. 859.**—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, 1901, and for other purposes.  
[Public, No. 185.] 31 Stats. L., p. 684.

\* \* \* \*

PAY OF THE NAVY.

Pay and allowances prescribed by law of officers on sea duty; \* \* \* for four additional clerks, one to commandant, at one thousand five hundred dollars per year, and one to paymaster and general storekeeper, at one thousand three hundred dollars per year, at Honolulu, and one to commandant, at one thousand five hundred dollars per year, and one to paymaster and general storekeeper, at one thousand three hundred dollars per year, at Samoa; \* \* \*

\* \* \* \*

PAY, MISCELLANEOUS.

\* \* \* \*

Contingent. **CONTINGENT, NAVY:** For all emergencies and extraordinary expenses arising at home or abroad, but impossible to be anticipated or classified, exclusive of personal services in the Navy Department, or any of its subordinate bureaus or offices, at Washington, District of Columbia, ten thousand dollars, and to enable the Secretary of the Navy, in his discretion, to cause to be transported to their homes the remains of officers and enlisted men of the Navy and Marine Corps who die or are killed in action, ashore or afloat, outside of the continental limits of the United States, ten thousand dollars: *Provided, That* the sum herein appropriated shall be available for transportation of the remains of officers and men who have died or who have been killed while on duty at any time since April twenty-first, eighteen hundred and ninety-eight.

*Proviso.*  
Transporting remains, etc.

\* \* \* \*



BUREAU OF EQUIPMENT.

\* \* \* \* \*

EQUIPMENT PLANT AT CAVITE, PHILIPPINE ISLANDS: Cavite equip-  
ment plant.  
For the purchase of the necessary tools and appliances for  
the enlargement and for increasing the facilities of the  
equipment plant at Cavite, Philippine Islands, twenty  
thousand dollars.

\* \* \* \* \*

Cavite, Philippine Islands: For one electrician, at five Cavite.  
dollars and four cents per diem, one thousand five hun-  
dred and seventy-seven dollars and fifty-two cents;

\* \* \* \* \*

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS, NAVY-  
YARDS AND STATIONS, NAVAL ACADEMY, AND NEW  
NAVAL OBSERVATORY.

\* \* \* \* \*

NAVAL STATION, SAN JUAN, PORTO RICO: Coaling facil- San Juan,  
Porto Rico.  
ities, thirty thousand dollars; pier, fifteen thousand dol-  
lars; dredging, two thousand dollars; electric-light plant,  
five thousand dollars; in all, naval station, San Juan,  
Porto Rico, fifty-two thousand dollars.

\* \* \* \* \*

DRY DOCK, HAVANA, CUBA: The President is hereby Dry dock, Ha-  
vana. Purchase  
authorized.  
authorized to purchase from the Government of Spain, for  
a sum not to exceed two hundred and seventy-five thou-  
sand dollars, the ten-thousand-ton steel floating dry dock  
belonging to that Government and now in the harbor of  
Havana, Cuba, and the sum of three hundred thousand  
dollars, or so much thereof as may be necessary, is hereby  
appropriated, out of any money in the Treasury not oth-  
erwise appropriated, for the purchase of said dock and for  
transferring and mooring the same in such location as may  
be determined upon by the President.

BUREAU OF MEDICINE AND SURGERY.

\* \* \* \* \*

The active list of surgeons shall hereafter consist of Surgeons.  
Number, ac-  
tive list.  
fifty-five, and that of passed assistant and assistant sur-  
geons of one hundred and ten. Assistant surgeons shall Assistant sur-  
geons.  
rank.  
rank with assistant surgeons in the Army: *Provided*, That *Provided*,  
certain tem-  
porary appoint-  
ments made  
permanent.  
the assistant surgeons under the age of fifty years ap-  
pointed for temporary service during the war with Spain,  
having creditable records, who are now in the Navy may  
be given permanent commissions. Section thirteen of the  
Act approved March third, eighteen hundred and ninety-  
nine, entitled "An Act to reorganize and increase the effi-  
ciency of the personnel of the Navy and Marine Corps of  
the United States," is hereby so amended as to provide that  
nothing therein contained shall operate to reduce the pay  
which, but for the passage of said Act, would have been Pay of com-  
missioned offi-  
cers not re-  
duced.  
received by any commissioned officer at the time of its pas-  
sage or thereafter.

BUREAU OF SUPPLIES AND ACCOUNTS.

\* \* \* \* \*

Cavite. Naval station, Cavite, Philippine Islands: In general storehouses: One clerk, at one thousand six hundred dollars; one bookkeeper, at one thousand four hundred dollars; three assistant bookkeepers, at one thousand two hundred dollars each, three thousand six hundred dollars; one shipping and bill clerk, at one thousand two hundred dollars; three storekeepers, at one thousand dollars each, three thousand dollars; in all, ten thousand eight hundred dollars.

\* \* \* \* \*

BUREAU OF STEAM ENGINEERING.

\* \* \* \* \*

Honolulu, Hawaiian Islands. MACHINERY PLANT, NAVAL STATION, HONOLULU, HAWAII: Necessary machine tools required to fit up plant for repairs of engines, boilers, and so forth, of naval vessels, twenty-five thousand dollars.

San Juan, Porto Rico. MACHINERY PLANT, NAVAL STATION, SAN JUAN, PORTO RICO: Necessary machine tools required to fit up plant for repairs of engines, boilers, and so forth, of naval vessels, twenty-five thousand dollars.

\* \* \* \* \*

MARINE CORPS.

\* \* \* \* \*

FOR REPAIRS OF BARRACKS, MARINE CORPS: \* \* \* for the renting, leasing, improvement, and erection of buildings in Porto Rico, the Philippine Islands, at Guam, and at such other places as the public exigencies require; and for per diem to enlisted men employed under the direction of the Quartermaster's Department on the repair of barracks, quarters, and other public buildings, twenty thousand dollars.

\* \* \* \* \*

June 7, 1900. **CHAP. 860.**—An Act To authorize the payment of traveling allowances to enlisted men of the regular and volunteer forces when discharged by order of the Secretary of War and stated by him as entitled to travel pay.

[Public, No. 198.]  
31 Stats. L., p. 708.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when the Secretary of War, in the exercise of his discretion, has directed the discharge of any enlisted men of the regular or volunteer forces of the Army, and the orders or instructions directing such discharge stated that such enlisted men were entitled to travel pay, such order or instruction shall be sufficient authority for the payment to the soldiers of the traveling allowances provided for by section twelve hundred and ninety of the Revised Statutes. And officers of the Pay Department of the Army shall have credit in the settlement of their accounts

Army.  
Order of Secretary of War authorizing travel pay for enlisted men on discharge valid.  
R. S., sec. 1290, p. 226.

for all payments made in obedience to said orders or instructions of the Secretary of War: *Provided*, That soldiers discharged under such orders or instructions, which stated that such soldiers were entitled to travel pay, and who were absent by authority on the date of the muster out of their regiments or of discharge, are entitled to and will be paid traveling allowances from place of muster out of their regiments or the places designated in the final statements as the place of discharge to the place of enlistment or enrollment: *Provided further*, That the provisions of this Act shall apply only to cases that have arisen or shall arise under orders or instructions for discharge with travel pay issued between April twenty-first, eighteen hundred and ninety-eight, and the date of the passage of this Act: *Provided further*, That it shall not be held as applying to any case in which the order directing the discharge did not set forth that the soldier was entitled to travel pay.

*Proviso.*  
Soldiers absent by authority on date of discharge, etc.

Application of Act.

Order of discharge to specify allowance of travel pay.

[No. 24.] Joint Resolution Recognizing the gallantry of Frank H. Newcomb, commanding the revenue cutter Hudson; of his officers and men; also retiring Captain Daniel B. Hodgsdon, of the Revenue-Cutter Service, for efficient and meritorious services in command of the cutter Hugh McCulloch at Manila.

May 3, 1900.

[Pub. Res., No. 24.]  
31 Stats. L., p. 716.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That in recognition of the gallantry of First Lieutenant Frank H. Newcomb, of the Revenue-Cutter Service, commanding the revenue cutter Hudson, his officers and the men of his command, for their intrepid and heroic gallantry in the action at Cardenas, Cuba, on the eleventh day of May, eighteen hundred and ninety-eight, when the Hudson rescued the United States naval torpedo boat Winslow in the face of a most galling fire from the enemy's guns, the Winslow being disabled, her captain wounded, her only other officer and half her crew killed. The commander of the Hudson kept his vessel in the very center of the hottest fire of the action, although in constant danger of going ashore on account of the shallow water, until finally he got a line made fast to the Winslow and towed that vessel out of range of the enemy's guns. In commemoration of this signal act of heroism it is hereby enacted that the Secretary of the Treasury be authorized and directed to cause to be prepared and to present to First Lieutenant Frank H. Newcomb, Revenue-Cutter Service, a gold medal, and to each of his officers a silver medal, and to each member of his crew a bronze medal.

Lieut. Frank H. Newcomb, etc., medals presented to.

That in recognition of the efficient and meritorious services of Captain Daniel B. Hodgsdon, United States Revenue-Cutter Service, while in command of the United States revenue cutter Hugh McCulloch, under the orders and in cooperation with the fleet commanded by Rear-Admiral George Dewey, United States Navy, at the battle of Manila, on May first, eighteen hundred and ninety-eight (the said officer being now in the sixty-third year of his

Capt. Daniel B. Hodgsdon, retired.

age, and having served continuously for thirty-seven years as an officer of the Revenue-Cutter Service), he be placed on the permanent waiting orders or retired list of the Revenue-Cutter Service, on the duty pay of his grade.

Appropriation.

That the sum of one thousand dollars, or so much thereof as may be necessary, be, and the same hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, for the medals above specified.

June 4, 1900.

[No. 31.] Joint Resolution For the appointment of first lieutenants of volunteers in the Signal Corps of the Army.

[Pub. Res., No. 31.]

31 Stats. L., p. 719.

Army.

Signal corps.

Appointment

of first lieutenants of volunteers authorized.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby empowered to nominate and, by and with the advice and consent of the Senate, to appoint ten first lieutenants of volunteers in the Signal Corps of the Army, whose commissions shall expire June thirtieth, nineteen hundred and one.*

June 7, 1900.

[No. 42.] Joint Resolution Donating a condemned cannon to the Commandery in Chief of the Sons of Veterans, United States of America.

[Pub. Res., No. 42.]

31 Stats. L., p. 723.

Sons of Veterans, United States of America.

Delivery to, of condemned cannon authorized.

Proviso.  
Expense.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy, in his discretion, is hereby authorized to deliver to the order of Fred E. Bolton, quartermaster-general of the Sons of Veterans, United States of America, one dismounted condemned cannon captured from or surrendered by Spain during the Spanish-American war: Provided, That the Government shall be at no expense in connection with the delivering of said cannon.*

### *Fifty-sixth Congress, second session.*

February 2, 1901.

**CHAP. 192.**—An Act To increase the efficiency of the permanent military establishment of the United States.

[Public, No. 30.]

31 Stats. L., p. 748.

Army.  
Reorganization of.

R. S., sec. 1094, p. 202, amended.  
Composition.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the approval of this Act the Army of the United States, including the existing organizations, shall consist of fifteen regiments of cavalry, a corps of artillery, thirty regiments of infantry, one Lieutenant-General, six major-generals, fifteen brigadier-generals, an Adjutant-General's Department, an Inspector-General's Department, a Judge-Advocate-General's Department, a Quartermaster's Department, a Subsistence Department, a Medical Department, a Pay Department, a Corps of Engineers, an Ordnance Department, a Signal Corps, the officers of the Record and Pension Office, the chaplains, the officers and enlisted men of the Army on the retired list, the profes-*

sors, corps of cadets, the army detachments and band at the United States Military Academy, Indian scouts as now authorized by law, and such other officers and enlisted men as may hereinafter be provided for: *Provided*, That when a vacancy shall occur through death, retirement, or other separation from active service in the office of store-keeper, now provided for by law in the Quartermaster's Department and Ordnance Department, respectively, said office shall cease to exist.

*Proviso.*  
Termination  
of office of store-  
keeper, etc.

SEC. 2. That each regiment of cavalry shall consist of one colonel, one lieutenant-colonel, three majors, fifteen captains, fifteen first lieutenants, and fifteen second lieutenants; two veterinarians, one sergeant-major, one quartermaster-sergeant, one commissary-sergeant, three squadron sergeants-major, two color-sergeants with rank, pay, and allowances of squadron sergeant-major, one band, and twelve troops organized into three squadrons of four troops each. Of the officers herein provided, the captains and lieutenants not required for duty with the troops shall be available for detail as regimental and squadron staff officers and such other details as may be authorized by law or regulations. Squadron adjutants shall receive one thousand eight hundred dollars per annum and the allowances of first lieutenants; squadron quartermasters and commissaries shall receive one thousand six hundred dollars per annum and the allowances of second lieutenants. Each cavalry band shall be organized as now provided by law. Each troop of cavalry shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster-sergeant, six sergeants, six corporals, two cooks, two farriers and blacksmiths, one saddler, one wagoner, two trumpeters, and forty-three privates; the commissioned officers to be assigned from among those hereinbefore authorized: *Provided*, That the President, in his discretion, may increase the number of corporals in any troop of cavalry to eight, and the number of privates to seventy-six, but the total number of enlisted men authorized for the whole Army shall not at any time be exceeded.

Cavalry.  
Composition.  
R. S., sec. 1102,  
p. 203, amended.

Details.

Pay of squad-  
ron adjutants,  
etc.

Band.

Composition  
of troop.

*Proviso.*  
Limited num-  
ber of enlisted  
men.

SEC. 3. That the regimental organization of the artillery arm of the United States Army is hereby discontinued, and that arm is constituted and designated as the Artillery Corps. It shall be organized as hereinafter specified and shall belong to the line of the Army.

Artillery  
Corps.  
R. S., sec. 1099,  
etc., p. 203,  
amended.

SEC. 4. That the Artillery Corps shall comprise two branches—the coast artillery and the field artillery. The coast artillery is defined as that portion charged with the care and use of the fixed and movable elements of land and coast fortifications, including the submarine mine and torpedo defenses; and the field artillery as that portion accompanying an army in the field, and including field and light artillery proper, horse artillery, siege artillery, mountain artillery, and also machine-gun batteries: *Provided*, That this shall not be construed to limit the authority of the Secretary of War to order coast artillery to any duty which the public service demands or to prevent the use of machine or other field guns by any other

"Coast artill-  
ery" defined.

—"field artill-  
ery."

*Proviso.*  
Duties of coast  
artillery and use  
of machine-  
guns not re-  
stricted.



arm of the service under the direction of the Secretary of War.

Assignment of officers to either branch, according to aptitude.

SEC. 5. That all officers of artillery shall be placed on one list in respect to promotion, according to seniority in their several grades, and shall be assigned to coast or field artillery according to their special aptitude for the respective services.

Composition of Corps.

SEC. 6. That the Artillery Corps shall consist of a Chief of Artillery, who shall be selected and detailed by the President from the colonels of artillery, to serve on the staff of the general officer commanding the Army, and whose duties shall be prescribed by the Secretary of War; fourteen colonels, one of whom shall be the Chief of Artillery; thirteen lieutenant-colonels, thirty-nine majors, one hundred and ninety-five captains, one hundred and ninety-five first lieutenants, one hundred and ninety-five second lieutenants; and the captains and lieutenants provided for in this section not required for duty with batteries or companies shall be available for duty as staff officers of the various artillery garrisons and such other details as may be authorized by law and regulations; twenty-one sergeants-major, with the rank, pay, and allowances of regimental sergeants-major of infantry; twenty-seven sergeants-major, with the rank, pay, and allowances of battalion sergeants-major of infantry; one electrician sergeant to each coast artillery post having electrical appliances; thirty batteries of field artillery, one hundred and twenty-six batteries of coast artillery, and ten bands organized as now authorized by law for artillery regiments: *Provided*, That the aggregate number of enlisted men for the artillery, as provided under this Act, shall not exceed eighteen thousand nine hundred and twenty, exclusive of electrician sergeants.

Proviso.  
Limit enlisted men

Coast artillery: organization.  
Vol 30 p 95.  
Proviso.  
Determining strength of company.  
Additional pay to gunners.

SEC. 7. That each company of coast artillery shall be organized as is now prescribed by law for a battery of artillery: *Provided*, That the enlisted strength of any company may be fixed, under the direction of the Secretary of War, according to the requirements of the service to which it may be assigned: *And provided*, That first-class gunners shall receive two dollars a month, and second-class gunners one dollar per month in addition to their pay.

Field artillery: organization, etc.

SEC. 8. That each battery of field artillery shall be organized as is now prescribed by law, and the enlisted strength thereof shall be fixed under the direction of the Secretary of War.

When increase to be made.

SEC. 9. That the increase herein provided for the artillery shall be made as follows: Not less than twenty per centum before July first, nineteen hundred and one, and not less than twenty per centum each succeeding twelve months until the total number provided for shall have been attained. All vacancies created or caused by this Act shall be filled by promotion according to seniority in the artillery arm. Second lieutenants of infantry or cavalry may, in the discretion of the President, be transferred to the artillery arm, taking rank therein according to date of commission, and such transfers shall be subject to ap-

Vacancies, how filled.

Transfers from other arms.



approval by a board of artillery officers appointed to pass upon the capacity of such officers for artillery service: *Provided*, That the increase of officers of artillery shall be only in proportion to the increase of men.

*Proviso.*  
Proportionate  
increase of off-  
cers.  
Infantry.  
R. S., sec. 1107,  
p. 204, amended.  
Composition.

**SEC. 10.** That each regiment of infantry shall consist of one colonel, one lieutenant-colonel, three majors, fifteen captains, fifteen first lieutenants, and fifteen second lieutenants; one sergeant-major, one quartermaster-sergeant, one commissary-sergeant, three battalion sergeants-major, two color sergeants, with rank, pay, and allowances of battalion sergeants-major, one band, and twelve companies, organized into three battalions of four companies each. Of the officers herein provided, the captains and lieutenants not required for duty with the companies shall be available for detail as regimental and battalion staff officers and such other details as may be authorized by law or regulations. Battalion adjutants shall receive one thousand eight hundred dollars per annum and the allowances of first lieutenants, mounted; battalion quartermasters and commissaries shall receive one thousand six hundred dollars per annum and the allowances of second lieutenants, mounted. Each infantry band shall be organized as now provided by law. Each infantry company shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster-sergeant, four sergeants, six corporals, two cooks, two musicians, one artificer, and forty-eight privates, the commissioned officers to be assigned from those hereinbefore authorized: *Provided*, That the President, in his discretion, may increase the number of sergeants in any company of infantry to six, the number of corporals to ten, and the number of privates to one hundred and twenty-seven, but the total number of enlisted men authorized for the whole Army shall not, at any time, be exceeded.

Details.

Pay battalion  
adjutants, etc.

Band; organ-  
ization.

*Proviso.*  
Limit enlisted  
men.

**SEC. 11.** That the enlisted force of the Corps of Engineers shall consist of one band and three battalions of engineers. The engineers band shall be organized as now provided by law for bands of infantry regiments. Each battalion of engineers shall consist of one sergeant-major, one quartermaster-sergeant, and four companies. Each company of engineers shall consist of one first sergeant, one quartermaster-sergeant, with the rank, pay, and allowances of sergeant, eight sergeants, ten corporals, two musicians, two cooks, thirty-eight first-class and thirty-eight second-class privates: *Provided*, That the President may, in his discretion, increase the number of sergeants in any company of engineers to twelve, the number of corporals to eighteen, the number of first-class privates to sixty-four, and the number of second-class privates to sixty-four, but the total number of enlisted men authorized for the whole Army shall not, at any time, be exceeded: *And provided*, That officers detailed from the Corps of Engineers to serve as battalion adjutants and battalion quartermasters and commissaries shall, while so serving, receive the pay and allowances herein authorized for battalion staff officers of infantry regiments.

Corps of Engi-  
neers.  
Composition.  
R. S., sec. 1151,  
p. 208, amended.

*Proviso.*  
Limit enlisted  
men.

Pay battalion  
adjutants, etc.

Chaplains,  
rank, etc.

*Proviso.*  
Examination,  
etc.

Post chaplain  
abolished.  
R. S., sec. 1004,  
p. 322, amended.

Assignment,  
etc., of chap-  
lains.

—transporta-  
tion.

Adjutant-Gen-  
eral's Depart-  
ment.

Organization,  
etc.  
R. S., sec. 1128,  
p. 306, amended.

*Proviso.*  
Vacancies,  
how filled.

Inspector-  
General's De-  
partment.  
Organization,  
etc.

*Proviso.*  
Vacancies,  
how filled.

Judge-Advoc-  
ate-General's  
Department.  
Organization.

Vacancies  
above grade of  
major, how  
filled, etc.

SEC. 12. That the President is authorized to appoint, by and with the advice and consent of the Senate, chaplains in the Army, at the rate of one for each regiment of cavalry and infantry in the United States service and twelve for the corps of artillery, with the rank, pay, and allowances of captains of infantry: *Provided*, That no person shall be appointed a chaplain in the Regular Army who shall have passed the age of forty years, nor until he shall have established his fitness as required by existing law: *And provided*, That the office of post chaplain is abolished, and the officers now holding commissions as chaplains, or who may hereafter be appointed chaplains, shall be assigned to regiments or to the corps of artillery. Chaplains may be assigned to such stations as the Secretary of War shall direct, and they may be transferred, as chaplains, from one branch of the service or from one regiment to another by the Secretary of War, without further commission. When serving in the field, chaplains shall be furnished with necessary means of transportation by the Quartermaster's Department.

SEC. 13. That the Adjutant-General's Department shall consist of one Adjutant-General with the rank of major-general, and when a vacancy shall occur in the office of Adjutant-General on the expiration of the service of the present incumbent, by retirement or otherwise, the Adjutant-General shall thereafter have the rank and pay of a brigadier-general, five assistant adjutants-general with the rank of colonel, seven assistant adjutants-general with the rank of lieutenant-colonel, and fifteen assistant adjutants-general with the rank of major: *Provided*, That all vacancies created or caused by this section shall, as far as possible, be filled by promotion according to seniority of officers of the Adjutant-General's Department.

SEC. 14. That the Inspector-General's Department shall consist of one Inspector-General with the rank of brigadier-general, four inspectors-general with the rank of colonel, four inspectors-general with the rank of lieutenant-colonel, and eight inspectors-general with the rank of major: *Provided*, That all vacancies created or caused by this section shall be filled, as far as possible, by promotion according to seniority of officers of the Inspector-General's Department.

SEC. 15. That the Judge-Advocate-General's Department shall consist of one Judge-Advocate-General with the rank of brigadier-general, two judge-advocates with the rank of colonel, three judge-advocates with the rank of lieutenant-colonel, six judge-advocates with the rank of major, and for each geographical department or tactical division of troops not provided with a judge-advocate from the list of officers holding permanent commissions in the Judge-Advocate-General's Department one acting judge-advocate with the rank, pay, and allowances of captain, mounted. Promotions to vacancies above the grade of major, created or caused by this Act, shall be made, according to seniority, from officers now holding commission in the Judge-Advocate-General's Department. Va-

cancies created or caused by this Act in the grade of major may be filled by appointment of officers holding commissions as judge-advocate of volunteers since April twenty-first, eighteen hundred and ninety-eight. Vacancies which may occur thereafter in the grade of major in the Judge-Advocate-General's Department shall be filled by the appointment of officers of the line, or of persons who have satisfactorily served as judge-advocates of volunteers since April twenty-first, eighteen hundred and ninety-eight, or of persons from civil life who at date of appointment are not over thirty-five years of age and who shall pass a satisfactory examination to be prescribed by the Secretary of War.

Acting judge-advocates provided for herein shall be detailed from officers of the grades of captain or first lieutenant of the line of the Army who while so serving shall continue to hold their commissions in the arm of the service to which they permanently belong. Upon completion of a tour of duty not exceeding four years they shall be returned to the arm in which commissioned, and shall not be again detailed until they shall have completed two years' duty with the arm of the service in which commissioned.

SEC. 16. That the Quartermaster's Department shall consist of one Quartermaster-General with the rank of brigadier-general, six assistant quartermasters-general with the rank of colonel, nine deputy quartermasters-general with the rank of lieutenant-colonel, twenty quartermasters with the rank of major, sixty quartermasters with the rank of captain, mounted; the military storekeeper now provided for by law, and one hundred and fifty post quartermaster-sergeants: *Provided*, That all vacancies in the grade of colonel, lieutenant-colonel, and major created or caused by this section shall be filled by promotion according to seniority, as now prescribed by law. That to fill original vacancies in the grade of captain created by this Act in the Quartermaster's Department the President is authorized to appoint officers of volunteers commissioned in the Quartermaster's Department since April twenty-first, eighteen hundred and ninety-eight: *Provided further*, That the President is authorized to continue in service, during the present emergency, for duty in the Philippine Islands and on transports, twenty-four captains and assistant quartermasters of volunteers. This authority shall extend only for the period when their services shall be absolutely necessary.

SEC. 17. That the Subsistence Department shall consist of one Commissary-General with the rank of brigadier-general, three assistant commissaries-general with the rank of colonel, four deputy commissaries-general with the rank of lieutenant-colonel, nine commissaries with the rank of major, twenty-seven commissaries with the rank of captain, mounted, and the number of commissary-sergeants now authorized by law, who shall hereafter be known as post commissary-sergeants: *Provided*, That all vacancies in the grades of colonel, lieutenant-colonel, and

Detail as acting judge-advocate.

Quartermaster's Department.  
Organization.

Provision.  
Vacancies,  
how filled.

—original.

Temporary continuance of certain volunteer officers.

—limit.

Subsistence Department.  
Organization.

Post commissary-sergeants.

Proviso.  
Vacancies,  
how filled.

-original.	major, created or caused by this section, shall be filled by promotion, according to seniority, as now prescribed by law. That to fill original vacancies in the grade of captain, created by this Act, in the Subsistence Department, the President is authorized to appoint officers of volunteers commissioned in the Subsistence Department since April twenty-first, eighteen hundred and ninety-eight.
Medical Department. Organization.	SEC. 18. That the Medical Department shall consist of one Surgeon-General with the rank of brigadier-general, eight assistant surgeons-general with the rank of colonel, twelve deputy surgeons-general with the rank of lieutenant-colonel, sixty surgeons with the rank of major, two hundred and forty assistant surgeons with the rank of captain or first lieutenant, the Hospital Corps, as now authorized by law, and the Nurse Corps: <i>Provided</i> , That all vacancies in the grades of colonel, lieutenant-colonel, and major created or caused by this section shall be filled by promotion according to seniority, subject to the examination now prescribed by law: <i>And provided</i> , That the period during which any assistant surgeon shall have served as a surgeon or assistant surgeon in the Volunteer Army during the war with Spain or since shall be counted as a portion of the five years' service required to entitle him to rank of captain: <i>And provided also</i> , That nothing in this section shall affect the relative rank for promotion of any assistant surgeon now in the service, or who may be hereafter appointed therein, as determined by the date of his appointment or commission and as fixed in accordance with existing law and regulations: <i>Provided further</i> , That in emergencies the Surgeon-General of the Army, with the approval of the Secretary of War, may appoint as many contract surgeons as may be necessary, at a compensation not to exceed one hundred and fifty dollars per month. That on or after the passage of this Act the President may appoint for duty in the Philippine Islands, fifty surgeons of volunteers with the rank and pay of major, and one hundred and fifty assistant surgeons of volunteers with the rank and pay of captain, mounted, for a period of two years: <i>Provided</i> , That so many of these volunteer medical officers as are not required shall be honorably discharged the service whenever in the opinion of the Secretary of War their services are no longer necessary: <i>Provided further</i> , That assistant surgeons in the Volunteer Army of the United States commissioned by the President as captains, in accordance with the provisions of an Act for increasing the efficiency of the Army of the United States, and for other purposes, approved March second, eighteen hundred and ninety-nine, shall be entitled to the pay of a captain, mounted, from the date of their acceptance of such commission, as prescribed by law: <i>Provided</i> , That the Surgeon-General of the Army, with the approval of the Secretary of War, be, and he is hereby, authorized to employ dental surgeons to serve the officers and enlisted men of the Regular and Volunteer Army, in the proportion of not to exceed one for every one thousand of said Army, and not exceeding thirty in all. Said dental surgeons shall be employed
Provisos. Vacancies, how filled.	
Computation of service as sur- geon requisite to grade of cap- tain.	
-relative rank unaffected, etc.	
Contract sur- geons in emer- gencies.	
Temporary, for Philippine service.	
-discharge.	
Pay of certain assistant sur- geons. Vol. 30, p. 990.	
Contract den- tal surgeons au- thorized.	
-limit, etc.	

as contract dental surgeons under the terms and conditions applicable to army contract surgeons, and shall be graduates of standard medical or dental colleges, trained in the several branches of dentistry, of good moral and professional character, and shall pass a satisfactory professional examination: *Provided*, That three of the number of dental surgeons to be employed shall be first appointed by the Surgeon-General, with the approval of the Secretary of War, with reference to their fitness for assignment, under the direction of the Surgeon-General, to the special service of conducting the examinations and supervising the operations of the others; and for such special service an extra compensation of sixty dollars a month will be allowed: *Provided further*, That dental college graduates now employed in the Hospital Corps who have been detailed for a period of not less than twelve months to render dental service to the Army and who are shown by the reports of their superior officers to have rendered such service satisfactorily may be appointed contract dental surgeons without examination: *Provided*, That the Secretary of War be authorized to appoint in the Hospital Corps, in addition to the two hundred hospital stewards now allowed by law, one hundred hospital stewards: *Provided*, That men who have served as hospital stewards of volunteer regiments or acted in that capacity during and since the Spanish-American war for more than six months may be appointed hospital stewards in the Regular Army: *And provided further*, That all men so appointed shall be of good moral character and shall have passed a satisfactory mental and physical examination.

—board of, to examine others.

—exempted from examination.

Additional hospital stewards authorized.

—serving in Spanish war may be appointed.

—examination.

SEC. 19. That the Nurse Corps (female) shall consist of one Superintendent, to be appointed by the Secretary of War, who shall be a graduate of a hospital training school having a course of instruction of not less than two years, whose term of office may be terminated at his discretion, whose compensation shall be one thousand eight hundred dollars per annum, and of as many chief nurses, nurses, and reserve nurses as may be needed. Reserve nurses may be assigned to active duty when the emergency of the service demands, but shall receive no compensation except when on such duty: *Provided*, That all nurses in the Nurse Corps shall be appointed or removed by the Surgeon-General, with the approval of the Secretary of War; that they shall be graduates of hospital training schools, and shall have passed a satisfactory professional, moral, mental, and physical examination: *And provided*, That the Superintendent and nurses shall receive transportation and necessary expenses when traveling under orders; that the pay and allowances of nurses, and of reserve nurses, when on active service, shall be forty dollars per month when on duty in the United States and fifty dollars per month when without the limits of the United States. They shall be entitled to quarters, subsistence, and medical attendance during illness, and they may be granted leaves of absence for thirty days, with pay, for each calendar year; and, when serving as chief

Nurse Corps (female). Organization.

Proviso. Appointment, examination, etc.

Transportation.

Pay, etc.



nurses, their pay may be increased by authority of the Secretary of War, such increase not to exceed twenty-five dollars per month. Payments to the Nurse Corps shall be made by the Pay Department.

**Veterinarians.** SEC. 20. That the grade of veterinarian of the second class in cavalry regiments, United States Army, is hereby abolished, and hereafter the two veterinarians authorized for each cavalry regiment and the one veterinarian authorized for each artillery regiment shall receive the pay and allowances of second lieutenants, mounted. Such number of veterinarians as the Secretary of War may authorize shall be employed to attend animals pertaining to the quartermaster's or other departments not directly connected with the cavalry and artillery regiments at a compensation not exceeding one hundred dollars per month.

**Pay Department.** SEC. 21. That the Pay Department shall consist of one **Organization.** Paymaster-General with the rank of brigadier-general, three assistant paymasters-general with the rank of colonel, four deputy paymasters-general with the rank of lieutenant-colonel, twenty paymasters with the rank of major, and twenty-five paymasters with the rank of captain, mounted: *Provided*, That all vacancies in the grade of colonel and lieutenant-colonel created or caused by this section shall be filled by promotion according to seniority,

**Appointments to grade of major.** as now prescribed by law, and no more appointments to the grade of major and paymaster shall be made until the number of majors and paymasters is reduced below twenty: *And provided*, That persons who have served in the Volunteer Army since April twenty-first, eighteen hundred and ninety-eight, as additional paymasters may be appointed to positions in the grade of captain, created

**—captain.** by this section. So long as there remain surplus majors an equal number of vacancies shall be held in the grade of captain, so that the total number of paymasters authorized by this section shall not be exceeded at any time.

**Corps of Engineers.** SEC. 22. That the Corps of Engineers shall consist of **Organization,** one Chief of Engineers with the rank of brigadier-general, seven colonels, fourteen lieutenant-colonels, twenty-eight majors, forty captains, forty first lieutenants, and thirty second lieutenants. The enlisted force provided in section eleven of this Act and the officers serving therewith shall constitute a part of the line of the Army: *Provided*,

**Appointment of Chief.** That the Chief of Engineers shall be selected as now **Vacancies, how filled.** provided by law, and hereafter vacancies in the Corps of Engineers in all other grades above that of second lieutenant shall be filled, as far as possible, by promotion according to seniority from the Corps of Engineers: *And provided also*, That vacancies remaining in the grades of first and second lieutenant may be filled by transfer of officers of the Regular Army, subject to such professional examination as may be approved by the Secretary of War.

**—by transfer.** Vacancies in the grade of second lieutenant not filled by transfer shall be left for future promotions from the corps of cadets at the United States Military Academy.

**Ordnance Department.** SEC. 23. That the Ordnance Department shall consist of one Chief of Ordnance with the rank of brigadier-gen-



eral, four colonels, six lieutenant-colonels, twelve majors, twenty-four captains, and twenty-four first lieutenants, the ordnance storekeeper, and the enlisted men, including ordnance sergeants, as now authorized by law. All vacancies created or caused by this section shall, as far as possible, be filled by promotion according to seniority as now prescribed by law. Vacancies,  
how filled.

SEC. 24. That the Signal Corps shall consist of one Chief Signal Officer with the rank of brigadier-general, one colonel, one lieutenant-colonel, four majors, fourteen captains, fourteen first lieutenants, eighty first-class sergeants, one hundred and twenty sergeants, one hundred and fifty corporals, two hundred and fifty first-class privates, one hundred and fifty second-class privates, and ten cooks: *Provided*, That vacancies created or caused by this section shall be filled by promotion of officers of the Signal Corps according to seniority, as now provided by law. Vacancies remaining after such promotions may be filled by appointment of persons who have served in the Volunteer Signal Corps since April twenty-first, eighteen hundred and ninety-eight: *Provided*, That the President is authorized to continue in service during the present emergency, for duty in the Philippine Islands, five volunteer signal officers with the rank of first lieutenant and five volunteer signal officers with the rank of second lieutenant. This authority shall extend only for the period when their services may be absolutely necessary. Signal Corps.  
Organization. Provision.  
Vacancies,  
how filled. Temporary  
service in Phil-  
ippines. —limit.

SEC. 25. That the officers of the Record and Pension Office of the War Department shall be a chief of said office with the rank of brigadier-general and an assistant chief of said office with the rank of major: *Provided*, That any person appointed to be Chief of the Record and Pension Office after the passage of this Act shall have the rank of colonel. Record and  
Pension Office,  
War Depart-  
ment. Rank of Chief,  
etc.

SEC. 26. That so long as there remain any officers holding permanent appointments in the Adjutant-General's Department, the Inspector-General's Department, the Quartermaster's Department, the Subsistence Department, the Pay Department, the Ordnance Department, and the Signal Corps, including those appointed to original vacancies in the grades of captain and first lieutenant under the provisions of sections sixteen, seventeen, twenty-one, and twenty-four of this Act, they shall be promoted according to seniority in the several grades, as now provided by law, and nothing herein contained shall be deemed to apply to vacancies which can be filled by such promotions or to the periods for which the officers so promoted shall hold their appointments, and when any vacancy, except that of the chief of the department or corps, shall occur, which can not be filled by promotion as provided in this section, it shall be filled by detail from the line of the Army, and no more permanent appointments shall be made in those departments or corps after the original vacancies created by this Act shall have been filled. Such details shall be made from the grade in which the vacan- Permanent ap-  
pointments,  
staff depart-  
ments, to be pro-  
moted accord-  
ing to seniority. —future vacan-  
cies to be filled  
by detail, after  
examination.

cies exist, under such system of examination as the President may from time to time prescribe.

—return to line  
after four years  
etc.

All officers so detailed shall serve for a period of four years, at the expiration of which time they shall return to duty with the line, and officers below the rank of lieutenant-colonel shall not again be eligible for selection in any staff department until they shall have served two years with the line.

Chief of staff  
corps or de-  
partment va-  
cancies, how  
filled.

That when vacancies shall occur in the position of chief of any staff corps or department the President may appoint to such vacancies, by and with the advice and consent of the Senate, officers of the Army at large not below the rank of lieutenant-colonel, and who shall hold office for terms of four years.

—rank of incum-  
bent.

When a vacancy in the position of chief of any staff corps or department is filled by the appointment of an officer below the rank now provided by law for said office, said chief shall, while so serving, have the same rank, pay, and allowances now provided for the chief of such corps or department. And any officer now holding office in any corps or department who shall hereafter serve as chief of a staff corps or department and shall subsequently be retired, shall be retired with the rank, pay, and allowances authorized by law for the retirement of such corps or department chief: *Provided*, That so long as there remain in service officers of any staff corps or department holding permanent appointments, the chief of such staff corps or department shall be selected from the officers so remaining therein.

*Proviso.*  
Permanent  
appointments.

Vacancies  
caused by de-  
tails from line  
to staff, how  
filled.

SEC. 27. That each position vacated by officers of the line, transferred to any department of the staff for tours of service under this Act, shall be filled by promotion in the line until the total number detailed equals the number authorized for duty in each staff department. Thereafter vacancies caused by details from the line to the staff shall be filled by officers returning from tours of staff duty. If under the operation of this Act the number of officers returned to any particular arm of the service at any time exceeds the number authorized by law in any grade, promotions to that grade shall cease until the number has been reduced to that authorized.

Vacancies in  
grade of field  
officers and cap-  
tain created by  
this act, how  
filled.

—after promo-  
tions made, how  
filled.

SEC. 28. That vacancies in the grade of field officers and captain, created by this Act, in the cavalry, artillery, and infantry shall be filled by promotion according to seniority in each branch, respectively. Vacancies existing after the promotions have been made shall be provided for as follows: A sufficient number shall be reserved in the grade of second lieutenant for the next graduating class at the United States Military Academy.

Persons not over forty years of age who shall have at any time served as volunteers subsequent to April twenty-first, eighteen hundred and ninety-eight, may be ordered before boards of officers for such examination as may be prescribed by the Secretary of War, and those who establish their fitness before these examining boards may be appointed to the grades of first or second lieutenant in the Regular Army, taking rank in the respective grades ac-

according to seniority as determined by length of prior commissioned service; but no person appointed under the provisions of this section shall be placed above another in the same grade with longer commissioned service, and nothing herein contained shall change the relative rank of officers heretofore commissioned in the Regular Army.

Enlisted men of the Regular Army or volunteers may be appointed second lieutenants in the Regular Army to vacancies created by this Act, provided that they shall have served one year, under the same conditions now authorized by law for enlisted men of the Regular Army.

Appointment of enlisted men as second lieutenants authorized.

SEC. 29. That to fill vacancies occurring from time to time in the several organizations serving without the limits of the United States with trained men, the President is authorized to enlist recruits in numbers equal to four per centum in excess of the total strength authorized for such organizations.

Excessive enlistment to supply trained recruits to outside regiments authorized.

SEC. 30. That the President is authorized to maintain the enlisted force of the several organizations of the Army at their maximum strength as fixed by this Act during the present exigencies of the service, or until such time as Congress may hereafter otherwise direct: *Provided*, That in the event of the enlistment of a soldier in the Army for the period required by law, and after the expiration of one year of service, should either of his parents die, leaving the other solely dependent upon the soldier for support, such soldier may, upon his own application, be honorably discharged from the service of the United States upon due proof being made of such condition to the Secretary of War.

Limit of time for maximum strength.

*Provided.* Honorable discharge on account of dependent parent.

SEC. 31. That the Secretary of War is authorized to detach from the Army at large such number of enlisted men as may be necessary to perform duty at the various recruiting stations, and while performing such duty one member of each party shall have the rank, pay, and allowances of sergeant, and one the rank, pay, and allowances of corporal of the arm of the service to which they respectively belong.

Detail of enlisted men for recruiting.

SEC. 32. That when the exigencies of the service of any officer who would be entitled to promotion upon examination require him to remain absent from any place where an examining board could be convened, the President is hereby authorized to promote such officer, subject to examination, and the examination shall take place as soon thereafter as practicable. If upon examination the officer be found disqualified for promotion, he shall, upon the approval of the proceedings by the Secretary of War, be treated in the same manner as if he had been examined prior to promotion.

Provisional promotion of officer pending examination.

SEC. 33. The President of the United States is hereby authorized to select from the brigadier-generals of volunteers two volunteer officers, without regard to age, and, by and with the advice and consent of the Senate, appoint them brigadier-generals, United States Army, for the purpose of placing them on the retired list.

Appointment authorized of two brigadier-generals for retirement.

And the President is also hereby authorized to select

—major-general.

from the retired list of the Army an officer not above the rank of brigadier-general who may have distinguished himself during the war with Spain, in command of a separate army, and to appoint, by and with the advice and consent of the Senate, the officer so selected to be major-general, United States Army, with the pay and allowances established by law for officers of that grade on the retired list.

Officers honorably discharged may wear uniform of highest commission held, etc.

SEC. 34. That all officers who have served during the war with Spain, or since, as officers of the Regular or Volunteer Army of the United States, and have been honorably discharged from the service by resignation or otherwise, shall be entitled to bear the official title and, upon occasions of ceremony, to wear the uniform of the highest grade they have held by brevet or other commission in the regular or volunteer service.

Surveys, etc., for sites for instruction camps authorized.

SEC. 35. That the Secretary of War be, and he is hereby, authorized and directed to cause preliminary examinations and surveys to be made for the purpose of selecting four sites with a view to the establishment of permanent camp grounds for instruction of troops of the Regular Army and National Guard, with estimates of the cost of the sites and their equipment with all modern appliances, and for this purpose is authorized to detail such officers of the Army as may be necessary to carry on the preliminary work; and the sum of ten thousand dollars is hereby appropriated for the necessary expense of such work, to be disbursed under the direction of the Secretary of War: *Provided*, That the Secretary of War shall report to Congress the result of such examination and surveys, and no contract for said sites shall be made nor any obligation incurred until Congress shall approve such selections and appropriate the money therefor.

*Provided*,  
—report.

Enlistment of Philippine natives.

SEC. 36. That when in his opinion the conditions in the Philippine Islands justify such action the President is authorized to enlist natives of those islands for service in the Army, to be organized as scouts, with such officers as he shall deem necessary for their proper control, or as troops or companies, as authorized by this Act, for the Regular Army. The President is further authorized, in his discretion, to form companies, organized as are companies of the Regular Army, in squadrons or battalions, with officers and noncommissioned officers corresponding to similar organizations in the cavalry and infantry arms. The total number of enlisted men in said native organizations shall not exceed twelve thousand, and the total enlisted force of the line of the Army, together with such native force, shall not exceed at any one time one hundred thousand.

—companies, etc.

Officers.

The majors to command the squadrons and battalions shall be selected by the President from captains of the line of the Regular Army, and while so serving they shall have the rank, pay, and allowances of the grade of major. The captains of the troops or companies shall be selected by the President from first lieutenants of the line of the

Regular Army, and while so serving they shall have the rank, pay, and allowances of captain of the arm to which assigned. The squadron and battalion staff officers, and first and second lieutenants of companies, may be selected from the noncommissioned officers or enlisted men of the Regular Army of not less than two years' service, or from officers or noncommissioned officers or enlisted men serving, or who have served, in the volunteers subsequent to April twenty-first, eighteen hundred and ninety-eight, and officers of those grades shall be given provisional appointments for periods of four years each, and no such appointments shall be continued for a second or subsequent term unless the officer's conduct shall have been satisfactory in every respect. The pay and allowances - pay, etc. of provisional officers of native organizations shall be those authorized for officers of like grades in the Regular Army. The pay, rations, and clothing allowances to be authorized for the enlisted men shall be fixed by the Secretary of War, and shall not exceed those authorized for the Regular Army.

When, in the opinion of the President, natives of the Philippine Islands shall, by their services and character, show fitness for command, the President is authorized to make provisional appointments to the grades of second and first lieutenants from such natives, who, when so appointed, shall have the pay and allowances to be fixed by the Secretary of War, not exceeding those of corresponding grades of the Regular Army. Native officers authorized.

SEC. 37. That the President is authorized to organize and maintain one provisional regiment of not exceeding three battalions of infantry, for service in Porto Rico, the enlisted strength thereof to be composed of natives of that island as far as practicable. The regiment shall be organized as to numbers as authorized for infantry regiments of the Regular Army. The pay, rations, and clothing allowances to be authorized for the enlisted men shall be fixed by the Secretary of War, and shall not exceed those authorized for the Regular Army. The field officers shall be selected from officers of the next lower grades in the Regular Army and shall, while so serving in the higher grade, have the rank, pay, and allowances thereof. The company and regimental and battalion staff officers shall be appointed by the President. The President may, in his discretion, continue with their own consent the volunteer officers and enlisted men of the Porto Rico regiment, whose terms of service expire by law July first, nineteen hundred and one. Enlistments for the Porto Rico regiment shall be made for periods of three years, unless sooner discharged. The regiment shall be continued in service until further directed by Congress. Porto Rico. Regiment of natives authorized.

SEC. 38. The sale of or dealing in, beer, wine or any intoxicating liquors by any person in any post exchange or canteen or army transport or upon any premises used for military purposes by the United States, is hereby prohibited. Sale of intoxicants in post exchanges, etc., prohibited.



ited. The Secretary of War is hereby directed to carry the provisions of this section into full force and effect.

Existing Regular Army commissions unimpaired.

SEC. 39. That nothing in this Act shall be held or construed so as to discharge any officer from the Regular Army or to deprive him of the commission which he now holds therein.

Army ration: President may prescribe components, etc.

SEC. 40. That the President be, and he is hereby, authorized to prescribe the kinds and quantities of the component articles of the army ration, and to direct the issue of substitutive equivalent articles in place of any such components whenever, in his opinion, economy and a due regard to the health and comfort of the troops may so require.

Badges, service Spanish war, etc., may be worn, etc.

SEC. 41. That the distinctive badges adopted by military societies of men "who served in the armies and navies of the United States during the Spanish-American war and the incident insurrection in the Philippines" may be worn upon all occasions of ceremony by officers and men of the Army and Navy of the United States who are members of said organizations in their own right.

Repeal.

SEC. 42. That all laws and parts of laws inconsistent with the provisions of this Act be, and the same are hereby, repealed.

February 8, 1901.  
[Public, No. 39.]  
31 Stats. L., p. 762.

**CHAP. 342.**—An Act For the payment of travel allowances, on discharge from the Volunteer Army, to certain officers and enlisted men who reentered the military service of the United States in the Philippine Islands.

Army.  
Travel allowance on reenlistment in Thirty-sixth or Thirty-seventh Volunteer Infantry, or Eleventh Cavalry.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* any officer of Volunteers, and any enlisted man of either Regulars or Volunteers, who was discharged in the Philippine Islands and there reentered the service, through commission or enlistment, in the Thirty-sixth or Thirty-seventh Regiments United States Volunteer Infantry, or in the Eleventh Regiment United States Volunteer Cavalry, shall, when discharged, except by way of punishment for an offense, receive for travel allowances, from the place of his discharge to the place in the United States of his last preceding appointment or enlistment, four cents per mile: *Provided*, That for sea travel, on discharge, from or between our island possessions actual expenses only shall be paid to officers, and transportation and subsistence only shall be furnished enlisted men: *Provided further*, That officers and enlisted men discharged in the United States under the provisions of this Act shall not be entitled to transportation or travel allowance back to the Philippine Islands.

*Proviso.*  
Allowance for sea travel.

No travel allowance back to Philippines on muster out in United States.



**CHAP. 674.**—An Act Providing that entrymen under the homestead laws, who have served in the United States Army, Navy, or Marine Corps during the Spanish war or the Philippine insurrection, shall have certain service deducted from the time required to perfect title under homestead laws, and for other purposes.

March 1, 1901.

[Public No. 110.]  
31 Stats. L., p. 847.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That sections twenty-three hundred and four and twenty-three hundred and five of the Revised Statutes be, and the same are hereby, amended to read as follows:

Soldiers' and sailors' homesteads.  
R. S., secs. 2304, 2305, p. 422, amended.

“SEC. 2304. Every private soldier and officer who has served in the Army of the United States during the recent rebellion for ninety days, and who was honorably discharged and has remained loyal to the Government, including the troops mustered into the service of the United States by virtue of the third section of an Act approved February thirteenth, eighteen hundred and sixty-two, and every seaman, marine, and officer who has served in the Navy of the United States or in the Marine Corps during the rebellion for ninety days, and who was honorably discharged and has remained loyal to the Government, and every private soldier and officer who has served in the Army of the United States during the Spanish war, or who has served, is serving, or shall have served in the said Army during the suppression of the insurrection in the Philippines for ninety days, and who was or shall be honorably discharged; and every seaman, marine, and officer who has served in the Navy of the United States or in the Marine Corps during the Spanish war, or who has served, is serving, or shall have served in the said forces during the suppression of the insurrection in the Philippines for ninety days, and who was or shall be honorably discharged, shall, on compliance with the provisions of this chapter, as hereinafter modified, be entitled to enter upon and receive patents for a quantity of public lands not exceeding one hundred and sixty acres, or one quarter section, to be taken in compact form, according to legal subdivisions, including the alternate reserved sections of public lands along the line of any railroad or other public work not otherwise reserved or appropriated, and other lands subject to entry under the homestead laws of the United States; but such homestead settler shall be allowed six months after locating his homestead and filing his declaratory statement within which to make his entry and commence his settlement and improvement.

Soldiers and sailors serving in war of rebellion.

—during Spanish war.

—in Philippines.

—may enter public lands, etc.

—time to enter, etc.

“SEC. 2305. The time which the homestead settler has served in the Army, Navy, or Marine Corps shall be deducted from the time heretofore required to perfect title, or if discharged on account of wounds received or disability incurred in the line of duty, then the term of enlistment shall be deducted from the time heretofore required to perfect title, without reference to the length of time he may have served; but no patent shall issue to any homestead settler who has not resided upon, improved, and cultivated his homestead for a period of at least one year

Deduction of military or naval service from time required to perfect title, etc.

*Proviso.* after he shall have commenced his improvements:" *Pro-*  
*Final proof by* *vided*, That in every case in which a settler on the public  
*heirs of de-* land of the United States under the homestead laws died  
*ceased soldier,* while actually engaged in the Army, Navy, or Marine  
*etc.* Corps of the United States as private soldier, officer, sea-  
man, or marine, during the war with Spain or the Philip-  
pine insurrection, his widow, if unmarried, or in case of  
her death or marriage, then his minor orphan children or  
his or their legal representatives, may proceed forthwith  
to make final proof upon the land so held by the deceased  
soldier and settler, and that the death of such soldier  
while so engaged in the service of the United States shall,  
in the administration of the homestead laws, be construed  
to be equivalent to a performance of all requirements as  
to residence and cultivation for the full period of five  
years, and shall entitle his widow, if unmarried, or in case  
of her death or marriage, then his minor orphan children  
or his or their legal representatives, to make final proof  
upon and receive Government patent for said land; and  
that upon proof produced to the officers of the proper  
local land office by the widow, if unmarried, or in case of  
her death or marriage, then his minor orphan children or  
his or their legal representatives, that the applicant for  
patent is the widow, if unmarried, or in case of her death  
or marriage, his orphan children or his or their legal rep-  
resentatives, and that such soldier, sailor, or marine died  
while in the service of the United States as hereinbefore  
described, the patent for such land shall issue.

March 1, 1901. **CHAP. 677.**—An Act Making appropriations for fortifications  
[Public, No. 113.] and other works of defense, for the armament thereof, for the pro-  
31 Stats. L., p. curement of heavy ordnance for trial and service, and for other  
873. purposes.

\* \* \* \*

Fortifications, **FORTIFICATIONS AND OTHER WORKS OF DEFENSE.**  
etc.

\* \* \* \*

Submarine **For the purchase of submarine mines and necessary**  
mines. appliances to operate them for closing the channels lead-  
ing to our principal seaports, including San Juan, Porto  
Rico; needful casemates, cable galleries, and so forth, to  
render it possible to operate submarine mines, and con-  
tinuing torpedo experiments, fifty thousand dollars.

\* \* \* \*

March 2, 1901. **CHAP. 803.**—An Act Making appropriation for the support of  
[Public, No. 118.] the Army for the fiscal year ending June thirtieth, nineteen hundred  
31 Stats. L., p. and two.  
895.

\* \* \* \*

#### PAY OF ENLISTED MEN.

Enlisted men. For pay of enlisted men of all grades, including recruits,  
fourteen million dollars.

Longevity. For additional pay for length of service for all enlisted

men, exclusive of Hospital Corps, one million dollars.  
 \* \* \* *Provided*, That enlistments in the Regular Army on and after April twenty-first, eighteen hundred and ninety-eight, from which date war was declared to have existed between the United States and Spain, up to and including April twenty-sixth, eighteen hundred and ninety-eight, shall be deemed enlistments for the war with Spain, and shall entitle men so enlisting to the extra pay and on the same conditions granted to men who enlisted in the Regular Army subsequent to the declaration of war, for the war only, as provided by an Act approved March third, eighteen hundred and ninety-nine, entitled "An Act making appropriations for the support of the Regular and Volunteer Army for the fiscal year ending June thirtieth, nineteen hundred: \* \* \*

Dates when enlistments deemed for Spanish war.

\* \* \* \* \*

FOR PAY OF THE GENERAL STAFF.

\* \* \* \* \*

*Provided*, That upon the occurrence of a vacancy in the grade of colonel in the Inspector-General's Department after the present lieutenant-colonels therein shall have been promoted or retired, such vacancy shall not be filled, and thereafter the number of officers authorized for that department shall be as follows: One inspector-general with the rank of brigadier-general; three inspectors-general with the rank of colonel; four inspectors-general with the rank of lieutenant-colonel, and nine inspectors-general with the rank of major.

*Proviso.*  
Composition of Department after vacancy in grade of colonel

\* \* \* \* \*

*Provided*, That appointments to fill original vacancies in the lowest grade in the Adjutant-General's Department, the Inspector-General's Department, and Judge Advocate-General's Department, and in the grade of captain in the Quartermaster's Department, Subsistence Department, and Pay Department may be made from officers of volunteers commissioned since April twenty-first, eighteen hundred and ninety-eight, and the age limit prescribed as to chaplains shall not apply to persons who served as chaplains of volunteers after said date who were under forty-two years of age when originally appointed.

*Proviso.*  
Staff Departments.  
Officers of Volunteers eligible for appointment to lowest grades, etc.

Chaplains.  
Age limit.

\* \* \* \* \*

MISCELLANEOUS.

\* \* \* \* \*

For mileage to officers and contract surgeons, when authorized by law, five hundred thousand dollars: \* \* \*

Mileage to officers.

\* \* \* \* \*

\* \* \* *And provided further*, That actual expenses only shall be paid to officers for sea travel when traveling, as herein provided for, to, from, or between our island possessions: *Provided*, That leaves of absence which may be granted officers of the Regular or Volunteer Army serving in the Territory of Alaska or without the limits of the

Leaves of absence to officers, foreign service, when to commence, etc.

United States, for the purpose of returning thereto, or which may have been granted such officers for such purpose since the thirteenth day of October, eighteen hundred and ninety-eight, shall be regarded as taking effect on the dates such officers reached or may have reached the United States, respectively, and as terminating, or as having terminated, on the respective dates of their departure from the United States in returning to their commands, as authorized by an order of the Secretary of War dated October thirteenth, eighteen hundred and ninety-eight: *Provided also*, That hereafter when an officer shall be discharged from the service, except by way of punishment for an offense, he shall receive for travel allowances from the place of his discharge to the place of his residence at the time of his appointment or to the place of his original muster into the service four cents per mile; and an enlisted man when discharged from the service, except by way of punishment for an offense, shall receive four cents per mile from the place of his discharge to the place of his enlistment, enrollment, or original muster into the service: *Provided further*, That any officer or enlisted man in the service of the United States who was discharged in the Philippine Islands and there reentered the service through commission or enlistment shall, when discharged, except by way of punishment for an offense, receive for travel allowances from the place of his discharge to the place in the United States of his last preceding appointment or enlistment, or to his home if he was appointed or enlisted at a place other than his home, four cents per mile: *Provided further*, That for sea travel on discharge actual expenses only shall be paid to officers and transportation and subsistence only shall be furnished to enlisted men.

Travel allowance on discharge.  
—officers.

—enlisted men.

—reentering service in Philippines.

—sea travel.

\* \* \* \* \*

Twenty per cent increase, enlisted men.  
—officers, foreign service.

*Proviso.*  
Increase for foreign service fixed.

—time of service computed.

Increase for Chinese service.

—no extra-duty pay.

For additional twenty per centum increase on pay of enlisted men, two million five hundred thousand dollars. For additional ten per centum increase on pay of officers serving at foreign stations, five hundred thousand dollars: *Provided*, That hereafter the pay proper of all officers and enlisted men serving beyond the limits of the States comprising the Union, and the Territories of the United States contiguous thereto, shall be increased ten per centum for officers and twenty per centum for enlisted men over and above the rates of pay proper as fixed by law for time of peace, and the time of such service shall be counted from the date of departure from said States to the date of return thereto: *Provided further*, That the officers and enlisted men who have served in China at any time since the twenty-sixth day of May, nineteen hundred, shall be allowed and paid for such service the same increase of pay proper as is herein provided for: *Provided further*, That enlisted men receiving or entitled to the twenty per centum increased pay herein authorized shall not be entitled to or receive any additional increased compensation for what is known as extra or special duty.

\* \* \* \* \*

SUBSISTENCE DEPARTMENT.

\*                      \*                      \*                      \*                      \*

Subsistence of the masters, officers, crews, and employ- Transport  
ees of the vessels of the army transport service, three hun- service.  
dred and fifty thousand dollars.

\*                      \*                      \*                      \*                      \*

For ice to organizations of enlisted men stationed in Ice, men in  
island possessions, fifty-four thousand seven hundred and foreign service.  
fifty dollars.

\*                      \*                      \*                      \*                      \*

All military, civil, and judicial powers necessary to gov- Philippine Is-  
ern the Philippine Islands, acquired from Spain by the lands.  
treaties concluded at Paris on the tenth day of December, President au-  
eighteen hundred and ninety-eight, and at Washington thorized to es-  
on the seventh day of November, nineteen hundred, shall, tablish tempo-  
until otherwise provided by Congress, be vested in such rary civil gov-  
person and persons and shall be exercised in such manner ernment in.  
as the President of the United States shall direct, for the  
establishment of civil government and for maintaining  
and protecting the inhabitants of said islands in the free  
enjoyment of their liberty, property, and religion: *Pro-* Proviso.  
*vided*, That all franchises granted under the authority Franchises to  
hereof shall contain a reservation of the right to alter, contain reserva-  
amend, or repeal the same. tion of right to  
amend.

Until a permanent government shall have been estab- Reports to be  
lished in said archipelago full reports shall be made to made to Con-  
Congress on or before the first day of each regular session gress, etc.  
of all legislative acts and proceedings of the temporary  
government instituted under the provisions hereof; and  
full reports of the acts and doings of said government,  
and as to the condition of the archipelago and of its people,  
shall be made to the President, including all information  
which may be useful to the Congress in providing for a  
more permanent government: *Provided*, That no sale or Proviso.  
lease or other disposition of the public lands or the tim- No sale, etc.,  
ber thereon or the mining rights therein shall be made: of public lands.  
*And provided further*, That no franchise shall be granted Restrictions  
which is not approved by the President of the United on grant of fran-  
States, and is not in his judgment clearly necessary for chises.  
the immediate government of the islands and indispensa-  
ble for the interest of the people thereof, and which can  
not, without great public mischief, be postponed until the  
establishment of permanent civil government; and all  
such franchises shall terminate one year after the estab-  
lishment of such permanent civil government.

All laws or parts of laws inconsistent with the provi- Repeal.  
sions of this Act are hereby repealed.

**CHAP. 809.**—An Act To prevent the failure of military justice March 2, 1901.  
and for other purposes. [Public, No. 124.]

*Be it enacted by the Senate and House of Representatives* 950.  
*of the United States of America in Congress assembled*, That Army.  
every person not belonging to the Army of the United Refusal to  
States who, being duly subpoenaed to appear as a witness qualify as wit-  
ness before  
courts-martial.



before a general court-martial of the Army, willfully neglects or refuses to appear, or refuses to qualify as a witness or to testify or produce documentary evidence which such person may have been legally subpoenaed to produce, shall be deemed guilty of a misdemeanor, for which such person shall be punished on information in the district court of the United States; and it shall be the duty of the United States district attorney, on the certification of the facts to him by the general court-martial, to file an information against and prosecute the person so offending, and the punishment of such person, on conviction, shall be a fine of not more than five hundred dollars or imprisonment not to exceed six months, or both, at the discretion of the court: *Provided*, That this shall not apply to persons residing beyond the State, Territory, or District in which such general court-martial is held, and that the fees of such witness, and his mileage at the rates provided for witnesses in the United States district court for said State, Territory or district shall be duly paid or tendered said witness, such amounts to be paid by the Pay Department of the Army out of the appropriation for compensation of witnesses: *Provided*, That no witness shall be compelled to incriminate himself or to answer any questions which may tend to incriminate or degrade him.

—penalty.

—proceedings against.

*Proviso.*  
—exceptions.

—witness fees to be tendered.

*Proviso.*  
Self-incrimination not compelled.

Hours of sitting.  
R. S., sec. 1342, p. 239, repealed.

Army officers may administer oaths.  
R. S., sec. 183, p. 29, amended.

SEC. 2. That article ninety-four, section thirteen hundred and forty-two, of the Revised Statutes of the United States be, and the same is hereby, repealed.

SEC. 3. That section one hundred and eighty-three of the Revised Statutes of the United States be, and the same is hereby, amended so as to read as follows:

“SEC. 183. Any officer or clerk of any of the departments lawfully detailed to investigate frauds on, or attempts to defraud, the Government, or any irregularity or misconduct of any officer or agent of the United States, and any officer of the Army detailed to conduct an investigation, and the recorder, and, if there be none, the presiding officer of any military board appointed for such purpose, shall have authority to administer an oath to any witness attending to testify or depose in the course of such investigation.”

SEC. 4. That article eighty-three, section thirteen hundred and forty-two, of the Revised Statutes of the United States be, and the same is hereby, amended to read as follows:

Jurisdiction of courts-martial.  
R. S., sec. 1342, p. 238, amended.

“ARTICLE 83. Regimental and garrison courts-martial and summary courts detailed under existing laws to try enlisted men shall not have power to try capital cases or commissioned officers, but shall have power to award punishment not to exceed confinement at hard labor for three months or forfeiture of three months' pay, or both, and in addition thereto, in the case of noncommissioned officers reduction to the ranks and in the case of first-class privates reduction to second-class privates: *Provided*, That a summary court shall not adjudge confinement and forfeiture in excess of a period of one month,

*Proviso.*  
Trial by summary court with consent, etc.



unless the accused shall before trial consent in writing to trial by said court, but in any case of refusal to so consent, the trial may be had either by general, regimental, or garrison court-martial, or by said summary court, but in case of trial by said summary court without consent as aforesaid, the court shall not adjudge confinement or forfeiture of pay for more than one month."

SEC. 5. That article sixty, section thirteen hundred and forty-two, of the Revised Statutes of the United States be, and the same is hereby, amended by inserting after the words "shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial may adjudge," the words "or by any or all of said penalties."

Penalty for certain frauds against the United States. R. S., sec. 1342, p. 236.

CHAP. 881.—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and one, and for prior years, and for other purposes.

March 3, 1901. [Public, No. 133.] 81 Stat. L., p. 1010.

\* \* \* \* \*

DEPARTMENT OF STATE.

\* \* \* \* \*

For the purpose of carrying out the obligation of the treaty between the United States and Spain concluded at Washington on the seventh day of November, anno Domini nineteen hundred, to become immediately available upon the exchange of the ratifications of the said treaty, one hundred thousand dollars.

Treaty with Spain of November 7, 1900. Appropriation.

\* \* \* \* \*

WAR DEPARTMENT.

\* \* \* \* \*

MILITARY ESTABLISHMENT.

\* \* \* \* \*

MILITARY POSTS.

\* \* \* \* \*

Out of the aggregate balances remaining unexpended July first, nineteen hundred, of the appropriations made by the deficiency appropriation Acts approved May fourth and June eighth, eighteen hundred and ninety-eight, respectively, and by section two of the deficiency appropriation Act approved July seventh, eighteen hundred and ninety-eight, for the six months beginning July first, eighteen hundred and ninety-eight, on account of war expenses under the titles "War Department" and "Military establishment," reappropriated by the Acts approved January fifth, eighteen hundred and ninety-nine, for the last six months of the fiscal year eighteen hundred and ninety-nine, and February ninth, nineteen hundred, for the fiscal year nineteen hundred, there is hereby reappropriated and made available for expenditure during the fiscal year

nineteen hundred and one, for objects hereinafter specified under the title "Military establishment," the following sums, namely:

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PAY DEPARTMENT.

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Rembursement for travel expenses disallowed contract surgeons, etc.

For the reimbursement of traveling expenses on account of travel from their homes or the places of original acceptance of offer of employment, and for salary, when on leaves of absence, of contract or acting assistant surgeons employed by the Medical Department of the Army since April twenty-first, eighteen hundred and ninety-eight, where such traveling expenses or salary may have heretofore been disallowed or deducted on the ground that the terms of the written contracts made with the contract surgeons did not entitle them to the allowances in question, ten thousand dollars, or so much thereof as may be necessary therefor: *Provided*, That all such claims now pending or that may hereafter be presented for payment shall be settled and allowed, where such claims relate to salary, in accordance with the leave privileges governing in the case of commissioned officers of the Army, and where such claims relate to traveling allowances, as in the case of assistant surgeons of the Army on their first appointment, but the amounts so allowed shall in no case exceed the amounts authorized by the War Department in regulations governing the matter: *And provided further*, That disbursing officers of the Paymaster's Department of the Army who have already paid or shall hereafter pay accounts for such traveling expenses or for salary during leaves of absence, as above provided, shall be given credit in the settlement of their accounts at the Treasury for all such payments upon the presentation of proper vouchers: \* \* \*

*Proviso.*  
— p e n d i n g  
claims, basis of  
settlement.

— credit to  
disbursing of-  
ficers who have  
paid above ac-  
counts.

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QUARTERMASTER'S DEPARTMENT.

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Transporting soldiers' remains, foreign service.

To enable the Secretary of War, in his discretion, to cause to be transported to their homes the remains of officers and soldiers who die at military camps or who are killed in action or who die in the field or hospital in Alaska and at places outside of the limits of the United States, or who die while on voyage at sea, one hundred thousand dollars.

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NAVAL ESTABLISHMENT.

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MISCELLANEOUS.

Reimburse-  
ments.

To reimburse Paymaster Henry E. E. Jewett, United States Navy, the amount paid by him, on order of Captain C. M. Chester, senior office in Guantanamo Bay, Cuba,

to the master of the schooner Talofa, in settlement of claim for damages done to his vessel by the United States steamship Newark, and checked against Paymaster Jewett's account by the accounting officers of the Treasury, thirty-five dollars.

\* \* \* \* \*

The accounting officers of the Treasury are hereby authorized and directed to allow in the settlement of the accounts of Pay Director H. T. Wright, United States Navy, payments to per diem civil establishment employees at the navy-yard, Brooklyn, New York, during the war with Spain, in the fiscal years eighteen hundred and ninety-eight and eighteen hundred and ninety-nine, made by the direction of the commandant's order of March twenty-sixth, eighteen hundred and ninety-eight, under telegraphic instructions of the same date from the Navy Department, and amounting to two thousand two hundred and fifteen dollars and sixty-two cents.

\* \* \* \* \*

## POSTAL SERVICE.

### OUT OF THE POSTAL REVENUES.

For postal service in the newly acquired territory in <sup>Foreign serv-</sup> Porto Rico, the Hawaiian Islands, and the Philippine Is-<sup>ice.</sup>lands, or territory held by military occupation, and for additional transportation to and from said territory, also including postal service for all military camps or stations, to be used in the discretion of the Postmaster-General, seventy thousand dollars.

\* \* \* \* \*

MILITARY POSTAL SERVICE: To pay the amounts set <sup>Military pos-</sup> forth in House Document Numbered Three hundred and <sup>tal service.</sup> fifty-two, of this session, on account of fiscal year eighteen hundred and ninety-nine, one hundred and fourteen dollars and thirty-six cents.

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**CHAP. 834.**—An Act To amend "An Act authorizing certain <sup>March 3, 1901.</sup> officers of the Navy and Marine Corps to administer oaths," ap-<sup>[Public, No. 139.]</sup>proved January twenty-fifth, eighteen hundred and ninety-five. <sup>31 Stats. L., p. 1086.</sup>

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That <sup>Navy.</sup> the Act entitled "An Act authorizing certain officers of <sup>Oaths may be</sup> the Navy and Marine Corps to administer oaths," ap-<sup>administered</sup>proved January twenty-fifth, eighteen hundred and ninety-<sup>by certain off-</sup>five, be, and is hereby, amended so as to read as follows:

"That judges-advocate of naval general courts-martial and courts of inquiry, and all commanders in chief of naval squadrons, commandants of navy-yards and stations, officers commanding vessels of the Navy, and recruit-

ing officers of the Navy, and the adjutant and inspector, assistant adjutant and inspector, commanding officers, and recruiting officers of the Marine Corps be, and the same are hereby, authorized to administer oaths for the purposes of the administration of naval justice and for other purposes of naval administration."

March 3, 1901. **CHAP. 850.**—An Act For the reward of enlisted men of the Navy or Marine Corps.  
[Public, No. 155.]  
31 Stats. L., p. 1099.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* any enlisted man of the Navy or Marine Corps who shall have distinguished himself in battle or displayed extraordinary heroism in the line of his profession shall, upon the recommendation of his commanding officer, approved by the flag-officer and the Secretary of the Navy, receive a gratuity and medal of honor as provided for seamen in section fourteen hundred and seven of the Revised Statutes.  
Navy, etc.  
Medals, etc.,  
authorized to  
enlisted men for  
heroism, etc.  
R. S., sec. 1407,  
p. 249.

March 3, 1901. **CHAP. 851.**—An Act Making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, nineteen hundred and two.  
[Public, No. 156.]  
31 Stats. L., p. 1099.

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OFFICE OF THE POSTMASTER-GENERAL.

\* \* \* \* \*

Philippine Islands, etc. For postal service in the Philippine Islands or territory held by military occupation, and for additional transportation to and from said territory, also including postal service for military camps or stations, to be used in the discretion of the Postmaster-General, fifty thousand dollars.

\* \* \* \* \*

March 3, 1901. **CHAP. 852.**—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and two, and for other purposes.  
[Public, No. 157.]  
31 Stats. L., p. 1107.

\* \* \* \* \*

PAY OF THE NAVY.

\* \* \* \* \*

"Shore duty beyond seas" defined. *Provided, That* officers of the Navy, and officers and enlisted men of the Marine Corps, who have been detailed, or may hereafter be detailed, for shore duty in Alaska, the Philippine Islands, Guam, or elsewhere beyond the continental limits of the United States, shall be considered as having been detailed for "shore duty beyond seas," and shall receive pay accordingly, with such additional pay as may be provided by law for service in island possessions of the United States.

That the advancement in rank of officers of the Navy and Marine Corps, whensoever made, for service rendered during the war with Spain, pursuant, respectively, to the provisions of sections fifteen hundred and six and sixteen hundred and five of the Revised Statutes, shall not interfere with the regular promotion of officers otherwise entitled to promotion, but officers so advanced, by reason of war service, shall, after they are promoted to higher grades, be carried thereafter as additional to the numbers of each grade to which they may at any time be promoted; and each such officer shall hereafter be promoted in due course, contemporaneously with and to take rank next after the officer immediately above him; and all advancements made by reason of war service shall be appropriately so designated upon the official Navy list: *Provided, however,* That no promotion shall be made to fill a vacancy occasioned by the promotion, retirement, death, resignation, or dismissal of any officer who, at the time of such promotion, retirement, death, resignation, or dismissal, is an additional member of his grade under the foregoing provisions.

Advancement for service Spanish war not to interfere with regular promotions  
R. S., secs. 1506, etc., p. 259.  
Officers advanced to head additional numbers of grade, etc.

Proviso.  
No promotions to fill such vacancies.

\* \* \* \* \*

BUREAU OF EQUIPMENT.

\* \* \* \* \*

DEPOTS FOR COAL: To enable the Secretary of the Navy to execute the provisions of section fifteen hundred and fifty-two of the Revised Statutes, authorizing the Secretary of the Navy to establish, at such places as he may deem necessary, suitable depots for coal and other fuel, for the supply of steamships of war, six hundred thousand dollars; and to enable him to acquire land for a naval station and harbor and channel defense at Pearl Harbor, Hawaii, one hundred and fifty thousand dollars; in all, eight hundred and fifty thousand dollars.

Depots for coal.  
R. S., sec. 1552, p. 264.

\* \* \* \* \*

Cavite, Philippine Islands: For one electrician, at five dollars and four cents per diem; one clerk at one thousand dollars; in all, two thousand five hundred and seventy-seven dollars and fifty-two cents;

\* \* \* \* \*

BUREAU OF YARDS AND DOCKS.

\* \* \* \* \*

Naval station, San Juan, Porto Rico: One clerk, one thousand two hundred dollars; one writer, commandant's office, nine hundred and sixty dollars; one mail messenger, four hundred and twenty dollars; in all, two thousand five hundred and eighty dollars.

Naval station, Hawaii: One writer, at three dollars and twenty-five cents per diem; one messenger, at two dollars per diem, including Sundays; in all, one thousand seven hundred and forty-seven dollars and twenty-five cents.

Naval station, Cavite, Philippine Islands: One clerk, one thousand two hundred dollars; one time clerk, three

hundred and seventy-five dollars; one writer, two hundred and fifty-five dollars; one messenger, one hundred and eighty-five dollars; one messenger, one hundred and fifty dollars; in all, two thousand one hundred and sixty-five dollars.

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PUBLIC WORKS, BUREAU OF YARDS AND DOCKS, NAVY-YARDS AND STATIONS, NAVAL ACADEMY, AND NEW NAVAL OBSERVATORY.

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San Juan, Porto Rico.
 NAVAL STATION, SAN JUAN, PORTO RICO: Coaling facilities, extensions, forty thousand dollars.

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Hawaii, naval station.
 NAVAL STATION, HAWAII: Machine shop, fifty thousand dollars; smithery and foundry, twenty-five thousand dollars; commandant's house and stables, fifteen thousand dollars; extending office building, three thousand dollars; cottage for watchman, two thousand five hundred dollars; grading and fencing, ten thousand dollars; ten-ton wharf crane, eight hundred dollars; water-pipe system, one thousand dollars; in all, naval station, Hawaii, one hundred and seven thousand three hundred dollars.

Tutuila, naval station.
 NAVAL STATION, TUTUILA: Coal-storage plant, extensions, two hundred thousand dollars; grading, twenty-five thousand dollars; in all, naval station, Tutuila, two hundred and twenty-five thousand dollars.

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Inquiry, etc., on establishing naval stations in Porto Rico.
 The Secretary of the Navy is hereby directed to have the coast and the waters of the island of Porto Rico examined into and to report to the next Congress upon the advisability of establishing a United States naval station on said coast; the most suitable place for the same, considering, among other things, the topographical and strategic situation of this island with reference to the United States and the proposed Nicaragua Canal, and the estimated immediate cost of the same.

—Philippine Islands.
 The Secretary of the Navy is hereby directed to have the coast and the waters of the Philippine Islands examined into and to report to the next Congress upon the advisability of establishing a United States naval station on said coast and the most suitable place for the same.

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SUPPLIES AND ACCOUNTS.

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Naval station, Cavite, Philippine Islands: In general storehouses: One clerk, at one thousand six hundred dollars; one bookkeeper, at one thousand four hundred dollars; three assistant bookkeepers, at one thousand two hundred dollars each, three thousand six hundred dollars; one shipping and bill clerk, at one thousand two hundred dollars; three storekeepers, at one thousand dollars each, three thousand dollars; one receiving clerk, at one thousand two hundred dollars; one shipping clerk, at one



thousand dollars; one assistant clerk, at one thousand dollars; two storemen, at nine hundred dollars each; in all, fifteen thousand eight hundred dollars.

\* \* \* \*

BUREAU OF CONSTRUCTION AND REPAIR.

\* \* \* \*

The Secretary of the Navy is hereby directed to have the coast and the waters of the Philippine Islands examined into and to report to the next Congress upon the advisability of establishing a United States naval station on said coast and the most suitable place for the same.

Philippine Islands. Inquiry as to establishing naval station in.

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MARINE CORPS.

\* \* \* \*

FOR REPAIRS OF BARRACKS, MARINE CORPS: for the renting, leasing, improvement, and erection of buildings in Porto Rico, the Philippine Islands, at Guam, and at such other places as the public exigencies require; and for per diem to enlisted men employed under the direction of the Quartermaster's Department on the repair of barracks, quarters, and other public buildings, twenty thousand dollars.

\* \* \* \*

CHAP. 853.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and two, and for other purposes.

March 3, 1901. [Public, No. 158.] 31 Stats. L., p. 1133.

\* \* \* \*

UNDER THE WAR DEPARTMENT.

\* \* \* \*

MISCELLANEOUS OBJECTS, WAR DEPARTMENT.

BRINGING HOME THE REMAINS OF OFFICERS AND SOLDIERS WHO DIE ABROAD: To enable the Secretary of War, in his discretion, to cause to be transported to their homes the remains of officers and soldiers who die at military camps or who are killed in action or who die in the field or hospital in Alaska and at places outside of the limits of the United States, or who die while on voyage at sea, one hundred thousand dollars.

Bringing home deceased soldiers.

BRINGING HOME THE REMAINS OF CIVIL EMPLOYEES OF THE ARMY WHO DIE ABROAD AND SOLDIERS WHO DIE ON TRANSPORTS: To enable the Secretary of War, in his discretion, to cause to be transported to their homes the remains of civilian employees of the Army who have died, or may hereafter die, while in the employ of the War Department in Cuba, Porto Rico, Hawaii, China, Alaska, and the Philippines, including the remains of any honorably discharged soldiers who are entitled under the terms of

—civilian employees, Army.

their discharge to return transportation on Government transport, and who die while on said transport, fifty thousand dollars. \* \* \*

\* \* \* \* \*

March 3, 1901. [No. 18.] Joint Resolution Authorizing the Secretary of the Navy to cause bronze medals to be struck and distributed to certain officers and men who participated in the war with Spain, and for other purposes.  
[Pub. Res. No. 17.]  
31 Stats. L., p. 1465.

Navy and Marine Corps.  
Bronze medals to officers, etc., Spanish war authorized.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to cause to be struck bronze medals commemorative of the naval and other engagements in the waters of the West Indies and on the shores of Cuba during the war with Spain, and to distribute the same to the officers and men of the Navy and Marine Corps who participated in any of said engagements deemed by him of sufficient importance to deserve commemoration: Provided, That officers and men of the Navy or Marine Corps who rendered specially meritorious service, otherwise than in battle, may be rewarded in like manner: And provided further, That any person who may, under the provisions of this Act, be entitled to receive recognition in more than one instance shall, instead of a second medal, be presented with a bronze bar, appropriately inscribed, to be attached to the ribbon by which the medal is suspended. And to carry out the provisions of this resolution the sum of twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.*

Provisos.

Bronze bar authorized instead of two medals.

Appropriation.

*Fifty-seventh Congress, first session.*

February 14, 1902. **CHAP. 17.**—An Act Making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and two, and for prior years, and for other purposes.  
[Public, No. 9.]  
32 Stats. L., pt. 1, p. 5.

\* \* \* \* \*

**WAR DEPARTMENT.**

\* \* \* \* \*

**MILITARY POST.**

Manila, P. I.  
Construction of buildings.

For the establishment in the vicinity of Manila, Philippine Islands, of a military post, including the construction of barracks quarters for officers, hospital, storehouses, and other buildings, as well as water supply, lighting, sewerage, and drainage, necessary for the accommodation of a garrison of two full regiments of infantry, two squadrons of cavalry, and two batteries of artillery, to be available until expended, five hundred thousand dollars.

\* \* \* \* \*

NAVY DEPARTMENT.

\* \* \* \* \*

NAVAL ESTABLISHMENT.

That of the appropriation of fifty million dollars made for the national defense by the Act of March ninth, eighteen hundred and ninety-eight, and reappropriated by the act of January fifth, eighteen hundred and ninety-nine, the unexpended balance, or so much thereof as may be necessary, is hereby reappropriated and made available for expenditure in fulfillment of contracts heretofore made and properly chargeable to said appropriation.

National defense.  
Reappropriation.

For the reimbursement of the Philippine insular funds for small gunboats and other craft, ordnance and ordnance stores, turned over by the military authorities at Manila to the Navy, a sum of money equal to four hundred and fifty thousand and forty-two dollars and forty cents, Mexican currency, at the valuation thereof during the first quarter of the calendar year nineteen hundred, two hundred and eight thousand eight hundred and nineteen dollars and sixty-seven cents, or so much thereof as may be necessary.

Philippine insular funds.  
Reimbursement for vessels, etc.

\* \* \* \* \*

MARINE CORPS.

\* \* \* \* \*

Repairs and improvements to barracks and quarters \* \* \* for the renting, leasing, improvement, and erection of buildings in Porto Rico, the Philippine Islands, at Guam, and at such other places as the public exigencies require, and for per diem to enlisted men employed under the direction of the Quartermaster's Department on the repair of barracks, quarters, and other public buildings, five thousand dollars.

Repairs of barracks.

**CHAP. 821.**—An Act To allow the commutation of and second homestead entries in certain cases.

May 22, 1902.

[Public, No. 122.]  
32 Stats. L., pt. 1, p. 203.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That homestead settlers upon the ceded portion of the Sioux Indian Reservation in South Dakota who made entry subsequent to March third, eighteen hundred and ninety-nine, shall be entitled to the provisions of the Act entitled "An Act to allow commutation of homestead entries in certain cases," approved January twenty-sixth, nineteen hundred and one, and in commuting shall only be required to pay the price provided in the law under which original entry was made.

Public lands.  
Settlers on ceded Sioux Reservation, S. Dak., may commute homestead entries.  
Vol. 31, p. 740.

**SEC. 2.** That any person who, prior to the passage of an Act entitled "An Act providing for free homesteads on the public lands for actual and bona fide settlers, and

Second homestead entries permitted settlers prior to May 17, 1900.

Provisos.  
Proof of for-  
mer entry.

Qualification.  
Restriction on  
commutation.  
R. S., sec. 2301,  
p. 421.

reserving the public lands for that purpose," approved May seventeenth, nineteen hundred, having made a homestead entry and perfected the same and acquired title to the land by final entry by having paid the price provided in the law opening the land to settlement, and who would have been entitled to the provisions of the Act before cited had final entry not been made prior to the passage of said Act, may make another homestead entry of not exceeding one hundred and sixty acres of any of the public lands in any State or Territory subject to homestead entry: *Provided*, That any person desiring to make another entry under this Act will be required to make affidavit, to be transmitted with the other filing papers now required by law, giving the description of the tract formerly entered, date and number of entry, and name of the land office where made, or other sufficient data to admit of readily identifying it on the official records: *And provided further*, That said person has all the other proper qualifications of a homestead entryman: *And provided also*, That commutation under section twenty-three hundred and one of the Revised Statutes, or any amendment thereto, or any similar statute, shall not be permitted of an entry made under this Act, excepting where the final proof, submitted on the former entry hereinbefore described, shows a residence upon the land covered thereby for the full period of five years, or such term of residence thereon as added to any properly credited military or naval service shall equal such period of five years.

June 28, 1902. **CHAP. 1301.**—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes.  
[Public, No. 182.]  
32 Stats. L., pt. 1, p. 419.

\* \* \* \* \*

UNDER THE WAR DEPARTMENT.

\* \* \* \* \*

Bringing home  
remains from  
abroad.

**BRINGING HOME THE REMAINS OF OFFICERS AND SOLDIERS WHO DIE ABROAD:** To enable the Secretary of War, in his discretion, to cause to be transported to their homes the remains of officers and soldiers who die at military camps or who are killed in action or who die in the field or hospital in Alaska and at places outside of the limits of the United States, or who die while on voyage at sea, eighty thousand dollars.

\* \* \* \* \*

Miscellaneous.

**MISCELLANEOUS OBJECTS, WAR DEPARTMENT.**

Military posts.  
Construction,  
etc.

**MILITARY POSTS:** For the construction of buildings at and the enlargement of such military posts as, in the judgment of the Secretary of War, may be necessary, and for the erection of barracks and quarters for the artillery in connection with adopted project for seacoast defenses,

and for the purchase of suitable building sites for said barracks and quarters, two million dollars: *Provided*, That the Secretary of War is authorized to acquire leases in such lands in Hawaii as have been set aside for purposes of a military post.

*Proviso.  
Hawaii.*

That of the amount appropriated for the construction of a military post in the vicinity of Manila, Philippine Islands, in the Act approved February fourteenth, nineteen hundred and two, entitled "An Act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and two, and for prior years, and for other purposes," a sum not to exceed fifty-five thousand dollars may be used, in the discretion of the Secretary of War, for the purchase of the necessary land.

*Manila post.  
Purchase of  
land.*

\* \* \* \* \*

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

\* \* \* \* \*

For payment of amounts for arrears of pay and allowances on account of service of officers and men of the Army during the war with Spain and in the Philippine Islands that may be certified to be due by the accounting officers of the Treasury during the fiscal year nineteen hundred and three, and that are chargeable to the appropriations that have been carried to the surplus fund, two hundred thousand dollars.

*War with  
Spain.  
Arrears of  
pay, etc., of off-  
cers and men.*

**CHAP. 1328.**—An Act Making appropriation for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and three.

*June 30, 1902.  
[Public, No. 205.]  
32 Stats. L., pt.  
1, p. 507.*

\* \* \* \* \*

PAY OF OFFICERS OF THE LINE.

\* \* \* *Provided*, That officers appointed to the Regular Army from the volunteer service, whose service has been continuous, shall, in the computation of leaves of absence after their appointment in the Regular Army, be entitled to the leave credits which accrued to them as volunteer officers where such leave credits were not availed of during their volunteer service.

*Proviso.  
Leave credits  
for volunteer  
service.*

\* \* \* \* \*

SIGNAL CORPS.

\* \* \* *And provided further*, That fifty first-class sergeants may be temporarily added to the Signal Corps for service in the Philippine Islands and Alaska; such additional force, or part thereof, to be continued only as long as in the opinion of the Secretary of War (or the President) it may be necessary for the efficiency of the Army.

*Additional,  
Philippine and  
Alaska service.*

\* \* \* \* \*

## MISCELLANEOUS.

Ten per cent  
increase, officers  
at foreign sta-  
tions.

*Proviso.*  
Service in dis-  
tant lands.

\* \* \* \* \*

For additional ten per centum increase on pay of com-  
missioned officers serving at foreign stations, four hundred  
and fifty-one thousand four hundred and fifty-six dollars:  
*Provided*, That hereafter the pay proper of all commis-  
sioned officers and enlisted men serving beyond the limits  
of the States comprising the Union and the Territories of  
the United States contiguous thereto shall be increased ten  
per centum for officers and twenty per centum for enlisted  
men over and above the rates of pay proper as fixed by  
law for time of peace, and the time of such service shall  
be counted from the date of departure from said States to  
the date of return thereto.

Porto Rico  
provisional reg-  
iment.

Officers.

Enlisted men.

\* \* \* \* \*

For Porto Rico provisional regiment of infantry, com-  
posed of two battalions of four companies each:

Pay of officers of the line, fifty-three thousand eight  
hundred dollars.

Pay of enlisted men, one hundred and forty-five thou-  
sand five hundred and forty-eight dollars.

## PHILIPPINE SCOUTS.

Officers.

Enlisted men

*Proviso.*  
Continuous-  
service pay for  
enlisted men.

Fifty first lieutenants, eighty thousand dollars.

Fifty second lieutenants, seventy-five thousand dollars.

Noncommissioned officers and privates, fifty companies,  
five hundred and fifteen thousand one hundred and sixty  
dollars: *Provided*, That all enlisted men of the Regular  
Army who served as commissioned officers of United  
States Volunteers organized in eighteen hundred and  
ninety-eight and eighteen hundred and ninety-nine, or  
who have served or may be now serving as such in the  
Porto Rico Provisional Regiment or in the Philippine  
Scouts, who, upon their muster out, have returned or may  
return to the ranks of the Regular Army, shall have such  
period of service counted as if it had been rendered as en-  
listed men, and that they be entitled to all continuous-  
service pay and to count, in computing the time necessary  
to enable them to retire, as enlisted men.

## QUARTERMASTER'S DEPARTMENT.

Philippines.  
Quarters.

Amount.

Report on ex-  
penditures.

\* \* \* \* \*

For the proper shelter and protection of officers and  
enlisted men of the Army of the United States lawfully on  
duty in the Philippine Islands, including the acquisition  
of title to building sites where necessary, to be expended  
in the discretion of the President, and to be immediately  
available, one million five hundred thousand dollars; and  
the President is directed to report a detailed statement of  
the expenditure of this sum to each session of Congress  
until the entire appropriation is expended.



**CHAP. 1351.**—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and two, and for prior years, and for other purposes. July 1, 1902.  
[Public, No. 217.]  
82 Stats. L. pt.  
1, p. 552.

\* \* \* \* \*

DEPARTMENT OF STATE.

\* \* \* \* \*

To pay certain claims of British and German subjects, growing out of the seizure of the British schooners E. R. Nickerson and Wary, during the late war with Spain, as set forth in Senate Document Numbered Three hundred and ninety-six of the present session, six thousand six hundred and five dollars. Payment of certain claims for seizure of British schooners E. R. Nickerson and Wary.

\* \* \* \* \*

TREASURY DEPARTMENT.

CONTINGENT EXPENSES.

\* \* \* \* \*

**CREDIT IN ACCOUNT OF LIEUTENANT-COLONEL J. W. JACOBS:** The accounting officers of the Treasury are hereby authorized and directed to reopen the accounts of Lieutenant-Colonel J. W. Jacobs, Deputy Quartermaster-General, and to credit him with the amount, not exceeding six hundred and twenty-nine dollars and sixty-nine cents, expended by him, under orders of the Secretary of War, for the entertainment of the military organizations of foreign governments accompanying the Army of the United States in the military operations before Santiago, Cuba, in eighteen hundred and ninety-eight. Lieut. Col. J. W. Jacobs.  
Credit in accounts.

**RELIEF OF ESTATE OF GEORGE LEA FEBIGER:** The estate of George Lea Febiger, late first lieutenant, Thirty-third United States Infantry Volunteers, is hereby relieved from accountability for subsistence funds in the sum of one hundred and twenty-nine dollars and thirty-eight cents, that being the amount of such funds with which he was charged and for which he was accountable on October twenty-fourth, nineteen hundred, on which date he was killed in action. George Lea Febiger estate.  
Relief of.

\* \* \* \* \*

WAR DEPARTMENT.

\* \* \* \* \*

**DEPOSIT OF CERTAIN MILITARY STORES FUNDS:** All funds received as the value of military stores transferred by the several staff departments of the Army to the insular government of the Philippines shall be deposited in the Treasury of the United States and remain available during the fiscal year nineteen hundred and three for the procurement of like military stores to replace those so transferred. Deposit of military stores funds.

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## MILITARY ESTABLISHMENT.

**Subsistence.**  
Civilian cooks,  
etc., on trans-  
ports.

**SUBSISTENCE OF THE ARMY:** Authority is hereby granted to the accounting officers of the Treasury to audit and allow certain accounts for services and subsistence of civilian cooks, butchers, and bakers employed on steamships chartered by the Government for the military expedition to Manila in eighteen hundred and ninety-eight, as set forth in Appendix D of House Document Numbered Five hundred and eighty-eight of the present session, two thousand six hundred and forty-seven dollars and sixty-seven cents.

**Maj. J. B. Bel-  
linger.**  
Credit in ac-  
counts of.

**CREDIT IN ACCOUNTS OF MAJOR J. B. BELLINGER:** The accounting officers of the Treasury are hereby authorized and directed to reopen the accounts of Major J. B. Bellinger, quartermaster, United States Army, and to credit him with the amount of one hundred and forty-three dollars and twenty cents, expended by him in September, eighteen hundred and ninety-eight, under orders of the Quartermaster-General, with the approval of the then Assistant Secretary of War, as a settlement of all claims that were due or thereafter might be due for restoring the steamship Fanita to the same condition as when she entered the service of the Government, in April, eighteen hundred and ninety-eight.

## NAVAL ESTABLISHMENT.

## Marine Corps.

**MARINE CORPS:** To reimburse Ordnance Department, United States Army, for three hundred thousand rifle-ball cartridges, caliber thirty one-hundredths, delivered to quartermaster, First Regiment United States Marines, at Tientsin, China, in August, nineteen hundred, being for the fiscal year nineteen hundred and one, seven thousand six hundred and sixty-eight dollars.

**Allowance of credit for commutation of rations, etc.**

The accounting officers of the Treasury are hereby authorized and directed to allow, in the settlement of the accounts of the disbursing officers of the Navy and Marine Corps involved, credit for commutation of rations and subsistence of marines serving on shore in island possessions prior to June thirtieth, nineteen hundred and one, to relieve the suspensions and disallowances of expenditures for the purpose stated appearing in the accounts of such disbursing officers for the fiscal years eighteen hundred and ninety-nine, nineteen hundred, and nineteen hundred and one.

**CHAP. 1368.**—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes. July 1, 1902.  
[Public, No. 234.]  
32 Stats. L., pt. 1, p. 662.

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PAY, MISCELLANEOUS.

\* \* \* \* \*

**CONTINGENT, NAVY:** For all emergencies and extraordinary expenses arising at home or abroad, but impossible to be anticipated or classified, exclusive of personal services in the Navy Department or any of its subordinate bureaus or offices at Washington, District of Columbia, ten thousand dollars. And that the unexpended balance of the appropriation of ten thousand dollars made in the Act approved June seventh, nineteen hundred, to enable the Secretary of the Navy, in his discretion, to cause to be transported to their homes the remains of officers and enlisted men of the Navy and Marine Corps who die or are killed in action, ashore or afloat, outside of the continental limits of the United States, be, and the same is hereby, made available until used. Contingent.  
  
Bringing home remains from abroad.  
Vol. 31, p. 685.

\* \* \* \* \*

EMERGENCY FUND, NAVY DEPARTMENT.

To meet unforeseen contingencies for the maintenance of the Navy constantly arising, to be expended at the discretion of the President, one hundred thousand dollars: *Provided*, That the accounting officers of the Treasury are hereby authorized and directed to allow, in the settlement of the accounts of disbursing officers involved, payments made under the appropriation "Emergency fund" to civilian employees appointed by the Navy Department for duty in and serving at naval stations maintained in the island possessions during the fiscal year nineteen hundred and two, and until such time as Congress shall make specific appropriation for the pay of such employees. Proviso.  
Civilians employed in island possessions.

The Secretary of the Navy, in his discretion, is authorized to pay all civilian employees appointed for duty in the Philippine, Hawaiian, and Samoan islands, the island of Guam, and the island of Porto Rico, from the date of their sailing from the United States until they report for duty to the officer under whom they are to serve, and while returning to the United States by the most direct route and with due expedition, a per diem compensation corresponding to their pay while actually employed; and in cases where the appointee is not to fill an existing vacancy his pay while traveling may be charged to the annual appropriation of the bureau concerned. Transit pay.

BUREAU OF NAVIGATION.

\* \* \* \* \*

**MAINTENANCE OF COLLIERS:** Pay, transportation, shipping, and subsistence of civilian officers and crews of naval colliers, and all expenses connected with naval colliers Maintenance of colliers.

employed in emergencies which can not be paid from other appropriations, three hundred and fifty thousand dollars.

\* \* \* \*

BUREAU OF EQUIPMENT.

\* \* \* \*

Cavite, P. I. Cavite, Philippine Islands: For one electrician, at five dollars and four cents per diem; one clerk, at one thousand dollars; in all, two thousand five hundred and seventy-seven dollars and fifty-two cents;

\* \* \* \*

BUREAU OF YARDS AND DOCKS.

\* \* \* \*

Naval stations. Naval station, San Juan, Porto Rico: One clerk, one thousand two hundred dollars; one writer, commandant's office, nine hundred and sixty dollars; one mail messenger, four hundred and twenty dollars; in all, two thousand five hundred and eighty dollars.

Hawaii. Naval station, Hawaii: One writer, at three dollars and twenty-five cents per diem; one messenger, at two dollars per diem, including Sundays; in all, one thousand seven hundred and forty-seven dollars and twenty-five cents.

Cavite, P. I. Naval station, Cavite, Philippine Islands: One clerk, one thousand two hundred dollars; one time clerk, four hundred and eighty dollars; one writer, three hundred and sixty dollars; one messenger, two hundred and forty dollars; one messenger, one hundred and eighty dollars; in all, two thousand four hundred and sixty dollars.

\* \* \* \*

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS, NAVY-YARDS AND STATIONS, NAVAL ACADEMY, AND NEW NAVAL OBSERVATORY.

\* \* \* \*

San Juan, P. R. NAVAL STATION, SAN JUAN, PORTO RICO: Coaling facilities, extensions, fifty thousand dollars; in all, San Juan, Porto Rico, fifty thousand dollars.

\* \* \* \*

Tutuila, Samoa. NAVAL STATION, TUTUILA: One officers' quarters, five thousand dollars; office building, ten thousand dollars; roads and walks, five thousand dollars; grading and filling, thirty thousand dollars; telephone system, two thousand dollars; light-house, Aunuu Island, one thousand dollars; waterworks and accessories, five thousand dollars; purchase of additional land at Samoa, thirty-five thousand dollars; in all, naval station, Tutuila, ninety-three thousand dollars.

\* \* \* \*

Cavite, P. I. NAVAL STATION, CAVITE, PHILIPPINE ISLANDS: Tools and appliances for yards and docks, five thousand dollars; fire-protection system and apparatus, twelve thousand dollars; railroad system, improvements and extensions, nine thousand dollars; fitting up coal sheds, seven thou-

sand five hundred dollars; toward the purchase or construction of a floating steel dry dock (of American manufacture) (to cost not to exceed one million two hundred and twenty-five thousand dollars), two hundred thousand dollars; in all, two hundred and thirty-three thousand five hundred dollars.

\* \* \* \* \*

BUREAU OF MEDICINE AND SURGERY.

\* \* \* \* \*

NAVAL HOSPITAL, CANACAO, PHILIPPINE ISLANDS: Re- Canacao, P. I.  
pairs and improvements in fitting up old buildings and building new; building wharf, roads, and preparing grounds, and establishing a naval hospital at Canacao, Philippine Islands, to take the place of the present temporary hospital at Cavite, and for the transfer of public property from the old buildings to the new, fifty thousand dollars.

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SUPPLIES AND ACCOUNTS.

\* \* \* \* \*

Naval station, Cavite, Philippine Islands: In general Cavite, P. I.  
storehouses: One clerk, at one thousand six hundred dollars; one bookkeeper, at one thousand four hundred dollars; three assistant bookkeepers, at one thousand two hundred dollars each, three thousand six hundred dollars; one shipping and bill clerk, at one thousand two hundred dollars; three storekeepers, at one thousand dollars each, three thousand dollars; one receiving clerk, at one thousand two hundred dollars; one shipping clerk, at one thousand dollars; one assistant clerk, at one thousand dollars; two storemen, at nine hundred dollars each; in all, fifteen thousand eight hundred dollars.

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BUREAU OF CONSTRUCTION AND REPAIR.

\* \* \* \* \*

Construction plant, naval station, Cavite, Philippine Cavite, P. I.  
Islands: Construction plant at naval station, Philippine Islands, fifty thousand dollars.

\* \* \* \* \*

MARINE CORPS.

\* \* \* \* \*

In the office of the assistant quartermaster, Washing- Assistant  
quartermaster's  
office.  
ton, District of Columbia, or San Francisco, California: One clerk, at one thousand four hundred dollars; two clerks, additional, for duty in the Philippines—one in Pay and one in Quartermaster's Department, at one thousand four hundred dollars each;

\* \* \* \* \*

FOR REPAIRS OF BARRACKS, MARINE CORPS: \* \* \*  
for the renting, leasing, improvement, and erection of build-  
ings in Porto Rico, the Philippine Islands, at Guam, and at  
such other places as the public exigencies require; and for  
per diem to enlisted men employed under the direction  
of the Quartermaster's Department on the repair of bar-  
racks, quarters, and other public buildings, forty-five  
thousand dollars.

\* \* \* \* \*

PUBLIC WORKS—MARINE CORPS.

\* \* \* \* \*

For the erection of light frame buildings for the accom-  
modation and protection of officers and enlisted men of  
the Marine Corps stationed on the island of Culebra,  
Porto Rico, five thousand dollars; \* \* \*

\* \* \* \* \*

*Fifty-seventh Congress, second session.*

January 13, 1903. **CHAP. 133.**—An Act Authorizing the Secretary of the Navy to  
[Public, No. 23.] return to Harvard University certain colors, silver cup, and Nor-  
32 Stats. L., pt. denfeldt gun.  
1, p. 770.

*Be it enacted by the Senate and House of Representatives  
of the United States of America in Congress assembled, That*  
the Secretary of the Navy is hereby authorized to give to  
Harvard University the six-pounder Nordenfeldt gun, the  
set of colors, including ensign, jack, and pennant, and the  
silver loving cup presented by Harvard graduates to the  
auxiliary cruiser Harvard at the opening of the war with  
Spain: *Provided, however, That said gun shall be returned,*  
*in like order as when received, to the Government at any*  
*time when it may be required for use.*

Harvard Uni-  
versity.  
Presents to  
cruiser "Har-  
vard" returned  
to.

*Proviso.*  
Return of gun.

February 14, 1903. **CHAP. 553.**—An Act To increase the efficiency of the Army.  
[Public, No. 88.]  
32 Stats. L., pt. 1, p. 890.  
Army.  
General Staff  
Corps estab-  
lished.  
Duties of.

*Be it enacted by the Senate and House of Representatives  
of the United States of America in Congress assembled, That*  
there is hereby established a General Staff Corps, to be  
composed of officers detailed from the Army at large,  
under such rules as may be prescribed by the President.  
**SEC. 2.** That the duties of the General Staff Corps shall  
be to prepare plans for the national defense and for the  
mobilization of the military forces in time of war; to in-  
vestigate and report upon all questions affecting the effi-  
ciency of the Army and its state of preparation for mili-  
tary operations; to render professional aid and assistance  
to the Secretary of War and to general officers and other  
superior commanders, and to act as their agents in inform-



ing and coordinating the action of all the different officers who are subject under the terms of this Act to the supervision of the Chief of Staff; and to perform such other military duties not otherwise assigned by law as may be from time to time prescribed by the President.

SEC. 3. That the General Staff Corps shall consist of one Chief of Staff and two general officers, all to be detailed by the President from officers of the Army at large not below the grade of brigadier-general; four colonels, six lieutenant-colonels, and twelve majors, to be detailed from the corresponding grades in the Army at large, under such rules for selection as the President may prescribe; twenty captains, to be detailed from officers of the Army at large of the grades of captain or first lieutenant, who while so serving shall have the rank, pay, and allowances of captain mounted. All officers detailed in the General Staff Corps shall be detailed therein for periods of four years, unless sooner relieved. While serving in the General Staff Corps, officers may be temporarily assigned to duty with any branch of the Army. Upon being relieved from duty in the General Staff Corps, officers shall return to the branch of the Army in which they hold permanent commission, and no officer shall be eligible to a further detail in the General Staff Corps until he shall have served two years with the branch of the Army in which commissioned, except in case of emergency or in time of war.

Composition of.

Term of service.

Temporary assignments.

Subsequent detail restricted.

Exceptions.

SEC. 4. That the Chief of Staff, under the direction of the President or of the Secretary of War, under the direction of the President, shall have supervision of all troops of the line and of the Adjutant-General's, Inspector-General's, Judge-Advocate's, Quartermaster's, Subsistence, Medical, Pay, and Ordnance departments, the Corps of Engineers, and the Signal Corps, and shall perform such other military duties not otherwise assigned by law as may be assigned to him by the President. Duties now prescribed by statute for the Commanding General of the Army as a member of the Board of Ordnance and Fortification and of the Board of Commissioners of the Soldiers' Home shall be performed by the Chief of Staff or other officer designated by the President. Acts and parts of Acts authorizing aids-de-camp and military secretaries shall not apply to general officers of the General Staff Corps.

Chief of Staff. Duties of.

Aids-de-camp and military secretaries.

R. S., secs. 1006-1008, p. 203.

Chief of Artillery to serve as additional member.

Rank, pay, etc.

Number of brigadier-generals limited.

SEC. 5. That the Chief of Artillery shall hereafter serve as an additional member of the General Staff and by and with the advice and consent of the Senate shall have the rank, pay, and allowances of a brigadier-general and when the next vacancy occurs in the office of brigadier-general of the line, it shall not be filled, and thereafter the number of brigadier-generals of the line, exclusive of the Chief of Artillery, shall not exceed fourteen; and the provisions of the foregoing sections of this Act shall take effect August fifteenth, nineteen hundred and three.

In effect August 15, 1903.

March 2, 1903. **CHAP. 975.**—An Act Making appropriation for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and four.  
[Public No. 132.]  
32 Stats. L., pt. 1, p. 927.

\* \* \* \* \*

ADJUTANT-GENERAL'S DEPARTMENT.

\* \* \* \* \*

Military information division.

For contingent expenses of the military information division, Adjutant-General's Office, including the purchase of law books, books of reference, periodicals and newspapers, and of the military attachés at the United States embassies and legations abroad, and of the branch office of the military information division at Manila, to be expended under the direction of the Secretary of War, ten thousand dollars: *Provided*, That section thirty-six hundred and eighty-two, Revised Statutes, shall not apply to the expenditure of this appropriation so far as it relates to the offices of the military attachés abroad and to said branch office at Manila: *And provided further*, That section thirty-six hundred and forty-eight, Revised Statutes, shall not apply to subscriptions for newspapers and periodicals to be paid for from this appropriation: *Provided further*, That section one hundred and ninety-two, Revised Statutes, shall not apply to the subscriptions to newspapers by the military information division for the fiscal years ending June thirtieth, nineteen hundred, June thirtieth, nineteen hundred and one, June thirtieth, nineteen hundred and two, June thirtieth, nineteen hundred and three, and thereafter.

*Proviso.*  
Clerical pay.  
R. S., sec. 3682,  
p. 723.

Subscriptions to papers.  
R. S., sec. 3648,  
p. 718.

Limitation removed.  
R. S., sec. 192,  
p. 30.

\* \* \* \* \*

Staff.

FOR PAY OF THE STAFF.

\* \* \* *Provided*, There shall be added to the Signal Corps of the Army, as now authorized by law, one lieutenant-colonel, two majors, four captains, and four first lieutenants: *Provided further*, That the vacancies thus created or caused shall be filled first by the promotion of officers of the Signal Corps, according to seniority, and thereafter by details from the line of the Army: *Provided further*, That the President be, and is hereby, authorized to appoint, by and with the advice and consent of the Senate, an officer of the Signal Corps as chief of the telegraph and cipher bureau of the Executive Office, who shall have, while so serving, the rank, pay, and allowances of a major.

Filling vacancies.

Chief of telegraph, etc., bureau, Executive Office.

Rank, etc.

\* \* \* \* \*

RETIRED ENLISTED MEN.

Enlisted men.

For pay of the enlisted men of the Army on the retired list, seven hundred and twenty-four thousand three hundred and twenty-seven dollars: *Provided*, That hereafter, in computing the length of service for retirement, credit shall be given soldiers for double the time of their actual service in China, the same as is now given in Porto Rico, Cuba, and the Philippine Islands.

*Proviso.*  
Double allowance for China service.

MISCELLANEOUS.

Miscellaneous.

\* \* \* \* \*

For three hundred and fifty contract surgeons, six hundred and thirty thousand dollars: *Provided*, That contract surgeons and contract dental surgeons on duty in Alaska, Hawaii, the Philippine Islands, and Porto Rico may transfer or assign their pay accounts when due and payable in the methods now provided by regulations for commissioned officers of the Army.

Contract surgeons.  
*Proviso.*  
Transfer of pay, insular duty.

PHILIPPINE SCOUTS.

Fifty first lieutenants, eighty thousand dollars.  
Fifty second lieutenants, seventy-five thousand dollars.  
Noncommissioned officers and privates, fifty companies, five hundred and fifteen thousand one hundred and sixty dollars: *Provided*, That all enlisted men of the Regular Army who served as commissioned officers of United States Volunteers organized in eighteen hundred and ninety-eight and eighteen hundred and ninety-nine, or who have served or may be now serving as such in the Porto Rico Provisional Regiment or in the Philippine Scouts, who, upon their muster out, have returned or may return to the ranks of the Regular Army, shall have such period of service counted as if it had been rendered as enlisted men, and that they be entitled to all continuous-service pay and to count, in computing the time necessary to enable them to retire, as enlisted men.

Philippine Scouts.

*Proviso.*  
Continuous-service pay for enlisted men.

\* \* \* \* \*

For Porto Rico Provisional Regiment of Infantry, composed of two battalions of four companies each:  
Pay of officers of the line, fifty-four thousand three hundred dollars.  
Pay of enlisted men, one hundred and forty-three thousand six hundred and seventy-six dollars: *Provided*, That citizens of Porto Rico shall be eligible for enlistment in the Regular Army and the Porto Rico Regiment may be ordered for service outside of the island of Porto Rico: *Provided*, That all volunteer officers now in the Porto Rico Provisional Regiment shall be mustered out on June thirtieth, nineteen hundred and four, and their places be filled by detail from the line of the Army: *Provided further*, That any vacancy now existing or which may occur between now and June thirtieth, nineteen hundred and four, shall be filled by detail from the line of the Army.

Porto Rico Provisional Regiment.

*Provisos.*  
Citizens may enlist in Regular Army, etc.

Muster out of volunteer officers.

Vacancies.

QUARTERMASTER'S DEPARTMENT.

\* \* \* \* \*

BARRACKS AND QUARTERS, PHILIPPINE ISLANDS: Continuing the work of providing for the proper shelter and protection of officers and enlisted men of the Army of the United States lawfully on duty in the Philippine Islands, including the acquisition of title to building sites when

Philippine Islands.  
Buildings, etc.

necessary, and including also shelter for the animals and supplies, and all other buildings necessary for post administration purposes, five hundred thousand dollars.

\* \* \* \* \*

Transportation. TRANSPORTATION OF THE ARMY AND ITS SUPPLIES:  
\* \* \* the expenses of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific oceans; no steamship in the transport service of the United States shall be sold or disposed of without the consent of Congress having been first had or obtained;  
Sale of transports restricted.  
Transport service. \* \* \* *Provided*, That no action looking to the discontinuance of the transport service shall be taken without further action of Congress.

\* \* \* \* \*

ORDNANCE DEPARTMENT.

Funds from stores transferred to Philippines. \* \* \* All funds received as the value of military stores transferred by the several staff departments of the Army to the Insular Department of the Philippines shall be deposited in the Treasury of the United States and remain available during the fiscal year nineteen hundred and four for the procurement of like military stores to replace those so transferred.

\* \* \* \* \*

March 2, 1883. **CHAP. 990.**—An Act To authorize the settlement of the accounts of officers of the Army.  
[Public, No. 140.]  
32 Stats. L., pt. 1, p. 955.  
Army. Allowance in accounts of officers for losses, war with Spain.  
Accounts to be closed. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* the proper accounting officers of the Treasury be, and they are hereby, directed, in the settlement of the accounts of disbursing officers of the War Department, arising between the twenty-first day of April, eighteen hundred and ninety-eight, from which date war with Spain is declared to have existed, and the eighth day of July, nineteen hundred and one, inclusive, the date on which the last organization of the Volunteer Army was mustered out of the service of the United States, to allow such credits for payments and for losses of funds, vouchers, and property as may be recommended under authority of the Secretary of War by the heads of the military bureaus to which such accounts respectively pertain.  
Proviso. Date of accounts. **SEC. 2.** That the accounts of military officers, whether of the line or staff, for Government property charged to them, shall be closed by the proper accounting officers whenever, in the judgment of the Secretary of War, it will be for the interest of the United States to do so: *Provided*, That such accounts originated subsequent to April twenty-first, eighteen hundred and ninety-eight, and prior to the ninth day of July, nineteen hundred and one:  
Limitation. *Provided further*, That no settlement shall be made by the officers of the Treasury, under this Act, of the accounts of any officer whose combined responsibility for public

money and Government property shall exceed the sum of five thousand dollars, and only of such officers of the Army in whose accounts there is no apparent fraud against the United States: *And provided further*, That this Act shall remain in force for two years from and after its passage, and no longer.

In effect two years.

**CHAP. 1006.**—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and three, and for prior years, and for other purposes.

March 3, 1903.  
[Public, No. 156.]  
32 Stats. L., pt. 1, p. 1061.

\* \* \* \* \*

WAR DEPARTMENT.

\* \* \* \* \*

MILITARY ESTABLISHMENT.

QUARTERMASTER'S DEPARTMENT.

\* \* \* \* \*

**BARRACKS AND QUARTERS, PHILIPPINE ISLANDS:** For continuing the work of providing for the proper shelter and protection of officers and enlisted men of the Army of the United States lawfully on duty in the Philippine Islands, including the acquisition of title to building sites where necessary, and including also shelter for animals and supplies, and all other buildings necessary for post administrative purposes, two hundred and fifty thousand dollars.

Philippine Islands.  
Quarters.

\* \* \* \* \*

**REIMBURSEMENT TO WINFIELD T. DURBIN:** To reimburse Winfield T. Durbin, late colonel One hundred and sixty-first Indiana Volunteers, for amount expended in defending cases brought against him in Florida, one thousand three hundred and two dollars and seventy-six cents, and for reimbursement for cost of erection of one hospital building, and for purchase of one garbage burner for use of the One hundred and sixty-first Regiment of Indiana Volunteers, which were afterwards left for use of the Third Division, Seventh Army Corps, Hospital, two hundred and sixty-three dollars and seventy-six cents; in all, one thousand five hundred and sixty-six dollars and fifty-two cents.

Winfield T. Durbin.  
Reimbursement.

\* \* \* \* \*

**CREDIT IN ACCOUNTS OF JAMES E. McDONALD, LIEUTENANT, TWENTY-FOURTH INFANTRY, UNITED STATES ARMY:** The accounting officers of the Treasury are hereby directed to credit the accounts of Lieutenant James E. McDonald, Twenty-fourth United States Infantry, with one thousand two hundred and ninety-eight dollars and eighty-four cents, balance of quartermaster's funds fiscal year nineteen hundred and two, with which he remains accountable, being the difference between three thousand

James E. McDonald.  
Credit in accounts for funds burned.

and fifty-eight dollars and ninety-six cents, the amount of public funds in his possession and destroyed by fire at Humingan, Pangasinan, Philippine Islands, on April twenty-ninth, nineteen hundred and two, and one thousand seven hundred and sixty dollars and twelve cents, representing the value of the ashes of these funds which were found possible of identification and redemption by the Treasury.

"Mogul," British steamship.  
Claim for damages from collision with transport to be examined.

BRITISH STEAMSHIP MOGUL: That the Secretary of War be, and is hereby, authorized and directed to examine the claim of Messrs. Gallatly, Hankey and Company, of London, England, owners of the British steamship Mogul, for damages alleged to be due said owners by reason of the collision between said steamship Mogul and the United States transport Warren in Manila Bay on December thirtieth, nineteen hundred, and determine what damages, if any, are due thereby to said owners of said steamship Mogul, and to certify the amount of such damages, if any are so found to be due, to the Secretary of the Treasury, and the Secretary of the Treasury is hereby authorized and directed to report the same to Congress for its action.

NAVAL ESTABLISHMENT.

Guam naval station.

ISLAND OF GUAM: For repairs and improvements of barracks, quarters, and storehouse, naval station, island of Guam, eighteen thousand five hundred dollars.

Barracks.

REPAIRS OF BARRACKS: \* \* \* for the renting, leasing, improvement, and erection of buildings in Porto Rico, the Philippine Islands, at Guam, and at such other places as the public exigencies require; and for per diem to enlisted men employed under the direction of the Quartermaster's Department on the repair of barracks, quarters, and other public buildings, for the fiscal year nineteen hundred and two, eight hundred and forty-one dollars and eighty-six cents.

Forage.

FORAGE: To reimburse Quartermaster's Department, United States Army, for forage furnished the Marine Corps in the Philippines for the fiscal year nineteen hundred and two, one hundred and seventy three dollars and ninety-eight cents.

CONTINGENT: \* \* \* To reimburse Quartermasters, Department, United States Army, for miscellaneous contingent supplies furnished the Marine Corps in the Philippines for fiscal year nineteen hundred and two, two thousand one hundred and eighteen dollars and ninety-nine cents.



MISCELLANEOUS.

To compensate the owners of the Canacao shipyard, Cavite, Philippine Islands, for damages sustained from the United States steamship Piscataqua running into its wharf and a small steamer, San Jose, two hundred and fifty dollars.

Canacao ship-  
yard, P. I.  
Payment to  
owners.

\* \* \* \* \*

JUDGMENT SUPREME COURT OF THE DISTRICT OF COLUMBIA.

\* \* \* \* \*

PRIZE MONEY, BATTLE OF MANILA BAY: To satisfy the decree ordered by the Supreme Court of the United States to be entered in accordance with the opinion of February twenty-third, nineteen hundred and three, by the supreme court of the District of Columbia in the case of George Dewey, admiral United States Navy, versus the Don Juan de Austria, numbered five hundred and fifty-nine, reported to Congress at this session in Senate Document Numbered One hundred and seventy-five, nine hundred and forty-six thousand and eighty-three dollars and eighty-nine cents, or so much thereof as may be necessary.

Prize money-  
battle of Ma-  
nila Bay.  
Payment of  
decree.

\* \* \* \* \*

CHAP. 1007.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and four, and for other purposes.

March 3, 1903.  
[Public, No. 157.]  
32 Stats. L.,  
pt. 1, p. 1083.

\* \* \* \* \*

UNDER THE WAR DEPARTMENT.

/ \* \* \* \*

BRINGING HOME THE REMAINS OF OFFICERS AND SOLDIERS WHO DIE ABROAD: To enable the Secretary of War, in his discretion, to cause to be transported to their homes the remains of officers and soldiers who die at military camps or who are killed in action or who die in the field or hospital in Alaska and at places outside of the limits of the United States, or who die while on voyage at sea, forty thousand dollars.

Bringing home  
remains from  
abroad.

\* \* \* \* \*

MISCELLANEOUS OBJECTS, WAR DEPARTMENT.

Miscellaneous.

PHILIPPINE ISLANDS: For the relief of the distress in the Philippine Islands, to be expended under the direction and in the discretion of the Philippine government in such proportions as they deem wise, in the direct purchase and distribution or sale of farm implements, farm animals, supplies, and necessities of life, and through the employment of labor in the construction of government wagon roads, and other public works, to be immediately available, three million dollars. And the Governor

Philippine Is-  
lands.  
Relief of dis-  
tress in.

Expenditures.

of the Philippines shall submit to the Secretary of War a statement of all expenditures hereunder.

Cuba.  
Care of civil  
records, etc.

**CARE OF CIVIL RECORDS OF THE LATE MILITARY GOVERNMENT OF CUBA:** For classification, arrangement, care, and storage of the civil records of the late military government of occupation of Cuba, including hire of clerks, messengers, and every other necessary expense in connection therewith, eleven thousand two hundred and eighty dollars, to be immediately available.

\* \* \* \* \*

Manila, P. I.  
Construction  
of barracks, etc.

For continuing the establishment in the vicinity of Manila, Philippine Islands, of a military post, including the construction of barracks, quarters for officers, hospital, storehouses, and other buildings, as well as water supply, lighting, sewerage, and drainage necessary for the accommodation of a garrison of two full regiments of infantry, two squadrons of cavalry, and two batteries of artillery, to be immediately available, one million dollars.

\* \* \* \* \*

National Home  
for Disabled  
Soldiers.

**NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.**

\* \* \* \* \*

War with  
Spain.

Arrears of  
pay, etc., of of-  
ficers and men.

For payment of amounts for arrears of pay and allowances on account of service of officers and men of the Army during the war with Spain and in the Philippine Islands that may be certified to be due by the accounting officers of the Treasury during the fiscal year nineteen hundred and four, and that are chargeable to the appropriations that have been carried to the surplus fund, two hundred thousand dollars.

\* \* \* \* \*

March 3, 1903.  
[Public, No. 160.]  
32 Stats. L.,  
pt. 1, p. 1177.

**CHAP. 1010.**—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and four, and for other purposes.

\* \* \* \* \*

#### BUREAU OF EQUIPMENT.

\* \* \* \* \*

Cavite, P. I.

Cavite, Philippine Islands: For one electrician, at five dollars and four cents per diem; one clerk, at one thousand dollars; in all, two thousand five hundred and seventy-seven dollars and fifty-two cents;

\* \* \* \* \*

#### BUREAU OF YARDS AND DOCKS.

\* \* \* \* \*

Naval sta-  
tions.  
San Juan, P. R.

Naval station, San Juan, Porto Rico: One clerk, one thousand two hundred dollars; one writer, commandant's office, nine hundred and sixty dollars; one mail messenger, four hundred and twenty dollars; in all, two thousand five hundred and eighty dollars;

Naval station, Hawaii: One writer, at one thousand and seventeen dollars and twenty-five cents per annum; one messenger, at two dollars per diem, including Sundays; in all, one thousand seven hundred and forty-nine dollars and twenty-five cents; Hawaii.

Naval station, Cavite, Philippine Islands: One clerk, one thousand two hundred dollars; one time clerk, four hundred and eighty dollars; one writer, three hundred and sixty dollars; one messenger, two hundred and forty dollars; one messenger, one hundred and eighty dollars; in all, two thousand four hundred and sixty dollars; Cavite, P. I.

\* \* \* \* \*

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS, NAVY-YARDS AND STATIONS, NAVAL ACADEMY, AND NEW NAVAL OBSERVATORY.

\* \* \* \* \*

NAVAL STATION, TUTUILA: Grading and filling, to continue, twenty thousand dollars; waterworks and accessories, five thousand dollars; carpenter and blacksmith shop, five thousand dollars; mooring, shoal, and channel buoys, four thousand dollars; ice-making plant, five thousand dollars; in all, naval station, Tutuila, thirty-nine thousand dollars. Tutuila, Samoa.

NAVAL STATION, ISLAND OF GUAM: General storehouse, ten thousand dollars. Guam

NAVAL STATION, CAVITE, PHILIPPINE ISLANDS: Distilling plant, twenty thousand dollars; floating steel dry dock, to continue, three hundred thousand dollars; in all, three hundred and twenty thousand dollars. Cavite, P. I.

\* \* \* \* \*

PUBLIC WORKS, SECRETARY'S OFFICE: For necessary expenditures incident to the occupation and utilization of the naval station at Guantanamo, Cuba, to be used for such purposes as the Secretary of the Navy may direct, one hundred thousand dollars. Guantanamo, Cuba.

\* \* \* \* \*

SUPPLIES AND ACCOUNTS.

\* \* \* \* \*

Naval station, Cavite, Philippine Islands: In general storehouses: One clerk, at one thousand six hundred dollars; one bookkeeper, at one thousand four hundred dollars; three assistant bookkeepers, at one thousand two hundred dollars each, three thousand six hundred dollars; one shipping and bill clerk, at one thousand two hundred dollars; three storekeepers, at one thousand dollars each, three thousand dollars; one receiving clerk, at one thousand two hundred dollars; one shipping clerk, at one thousand dollars; one assistant clerk, at one thousand dollars; two storemen, at nine hundred dollars each; in all, fifteen thousand eight hundred dollars; Cavite, P. I.

\* \* \* \* \*

BUREAU OF CONSTRUCTION AND REPAIR.

\* \* \* \* \*

IMPROVEMENT OF CONSTRUCTION PLANTS: \* \* \*

Cavite, P. I. Steel ammunition lighter, naval station, Cavite, Philippine Islands: One steel steam ammunition lighter, with all fittings complete, for use at naval station, Cavite, Philippine Islands, thirty thousand dollars.

\* \* \* \* \*

NAVAL ACADEMY.

\* \* \* \* \*

Active list of the Navy. Increase in certain grades of. The grades of the active list of the Navy hereinafter designated shall be so increased that there shall be thirty additional lieutenant-commanders, in all two hundred; fifty additional lieutenants, in all three hundred and fifty; such total numbers of lieutenants (junior grade) and ensigns as may qualify for said grades under existing law and the provisions of this Act; thirty additional surgeons with the rank of lieutenant-commander, in all eighty-five; one hundred and twenty additional passed assistant and assistant surgeons, with the rank, respectively, of lieutenant and lieutenant (junior grade), in all two hundred and thirty; two additional pay inspectors, in all fifteen; thirty-six additional paymasters, in all seventy-six; twenty-six additional passed assistant and assistant paymasters, in all ninety-six; twenty-nine additional naval constructors and assistant naval constructors, in all seventy-five; one additional civil engineer, in all twenty-eight; and twelve assistant civil engineers, of whom six shall have the rank of lieutenant (junior grade) and six the rank of ensign: *Provided*, That assistant civil engineers, during the first five years after date of appointment, shall receive, per annum, when on duty, one thousand five hundred dollars, when on leave or waiting orders, one thousand dollars; during the second five years after such date, when on duty, one thousand eight hundred dollars, when on leave or waiting orders, one thousand two hundred dollars; and after ten years from such date, when on duty, two thousand one hundred dollars, and when on leave or waiting orders, one thousand four hundred dollars: *And provided further*, That promotions in the corps of civil engineers shall be after such examination as the Secretary of the Navy may prescribe.

Provisos. Pay of assistant civil engineers.

Examinations for promotion.

Limit of yearly increase.

The increase in the grades of lieutenant-commander and lieutenant provided for in this Act shall be filled by promotion each year of not exceeding twenty-five per centum of the total number of the increase in each of said grades; and not more than twenty-five assistant surgeons, not more than twenty assistant paymasters, nor more than five assistant naval constructors, nor more than three assistant civil engineers, in addition to those necessary to fill vacancies in said grades, shall be appointed in any one calendar year.

\* \* \* \* \*

That hereafter there shall be at the Naval Academy one midshipman from Porto Rico; who shall be a native of said island, and whose appointment shall be made by the President on the recommendation of the governor of Porto Rico.

Porto Rico.  
Appointment  
from.

\* \* \* \* \*

MARINE CORPS.

\* \* \* \* \*

In the office of the assistant quartermaster, Washington, District of Columbia, or San Francisco, California: One clerk, at one thousand four hundred dollars; two clerks, additional, for duty in the Philippines—one in Pay and one in Quartermaster's Department—at one thousand four hundred dollars each;

Assistant  
quartermas-  
ter's office.

\* \* \* \* \*

FOR REPAIRS OF BARRACKS, MARINE CORPS: for the renting, leasing, improvement, and erection of buildings in Porto Rico, the Philippine Islands, at Guam, and at such other places as the public exigencies require; and for per diem to enlisted men employed under the direction of the Quartermaster's Department on the repair of barracks, quarters, and the other public buildings, sixty-six thousand three hundred and thirty-six dollars.

\* \* \* \* \*

[No. 2.] Joint Resolution Relating to military badges.

January 12, 1903.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the distinctive badges adopted by military societies of men who served in the armies and navies of the United States during the Chinese relief expedition of nineteen hundred may be worn upon all occasions of ceremony by officers and men of the Army and Navy of the United States who are members of said organization in their own right.*

[Pub. Res. No.  
2.]  
Stats. L., pt.  
1, p. 1229.  
Military  
badges.  
Chinese relief  
expedition  
badges may be  
worn.

•



# TREATIES AND CONVENTIONS.

*Protocol of agreement between the United States and Spain, August 12, 1898. embodying the terms of a basis for the establishment of peace between the two countries. Signed at Washington, August 12, 1898.* 30 Stats. L., p. 1742.

## PROTOCOL.

William R. Day, Secretary of State of the United States, and His Excellency Jules Cambon, Ambassador Extraordinary and Plenipotentiary of the Republic of France at Washington, respectively possessing for this purpose full authority from the Government of the United States and the Government of Spain, have concluded and signed the following articles, embodying the terms on which the two Governments have agreed in respect to the matters herein-after set forth, having in view the establishment of peace between the two countries, that is to say:

### ARTICLE I.

Spain will relinquish all claim of sovereignty over and title to Cuba.

### ARTICLE II.

Spain will cede to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and also an island in the Ladrones to be selected by the United States.

## PROTOCOLE.

William R. Day, Secrétaire d'Etat des Etats-Unis, et Son Excellence M. Jules Cambon, Ambassadeur Extraordinaire et Plénipotentiaire de la République Française à Washington, ayant respectivement reçu à cet effet pleine autorisation du Gouvernement des Etats-Unis et du Gouvernement d'Espagne, ont conclu et signé les articles suivants qui précisent les termes sur lesquels les deux Gouvernements se sont mis d'accord en ce qui concerne les questions ci-après désignées et ayant pour objet l'établissement de la paix entre les deux pays, savoir:

### ARTICLE I.

L'Espagne renoncera à toute prétention à sa souveraineté et à tout droit sur Cuba.

### ARTICLE II.

L'Espagne cédera aux Etats-Unis l'île de Porto Rico et les autres îles actuellement sous la souveraineté Espagnole dans les Indes Occidentales, ainsi qu'une île dans les Ladrones qui sera choisie par les Etats-Unis.

ARTICLE III.

Philippine Islands.

The United States will occupy and hold the city, bay and harbor of Manila, pending the conclusion of a treaty of peace which shall determine the control, disposition and government of the Philippines.

ARTICLE III.

Les Etats-Unis occuperont et tiendront la ville, la baie et le port de Manille en attendant la conclusion d'un traité de paix que devra déterminer le contrôle, la disposition et le Gouvernement des Philippines.

ARTICLE IV.

Evacuation of Cuba, etc.

Spain will immediately evacuate Cuba, Porto Rico and other islands now under Spanish sovereignty in the West Indies; and to this end each Government will, within ten days after the signing of this protocol, appoint Commissioners, and the Commissioners so appointed shall, within thirty days after the signing of this protocol, meet at Havana for the purpose of arranging and carrying out the details of the aforesaid evacuation of Cuba and the adjacent Spanish islands; and each Government will, within ten days after the signing of this protocol, also appoint other Commissioners, who shall, within thirty days after the signing of this protocol, meet at San Juan, in Porto Rico, for the purpose of arranging and carrying out the details of the aforesaid evacuation of Porto-Rico and other islands now under Spanish sovereignty in the West Indies.

ARTICLE IV.

L'Espagne évacuera immédiatement Cuba, Porto Rico et les autres îles actuellement sous la souveraineté Espagnole dans les Indes Occidentales; à cet effet chacun des deux Gouvernements nommera, dans les dix jours qui suivront la signature de ce protocole, des commissaires, et les commissaires ainsi nommés devront, dans les trente jours qui suivront la signature de ce protocole, se rencontrer à la Havane afin d'arranger et d'exécuter les détails de l'évacuation sus-mentionnée de Cuba et des îles Espagnoles adjacentes; et chacun des deux Gouvernements nommera également, dans les dix jours qui suivront la signature de ce protocole, d'autres commissaires qui devront, dans les trente jours de la signature de ce protocole, se rencontrer à San Juan de Porto-Rico afin d'arranger et d'exécuter les détails de l'évacuation susmentionnée de Porto-Rico et des autres îles actuellement sous la souveraineté Espagnole dans les Indes Occidentales.

ARTICLE V.

Treaty of peace.

The United States and Spain will each appoint not more than five commissioners to treat of peace, and the commissioners so appointed

ARTICLE V.

Les Etats-Unis et l'Espagne nommeront, pour traiter de la paix, cinq commissaires au plus pour chaque pays; les commis-

shall meet at Paris not later than October 1, 1898, and proceed to the negotiation and conclusion of a treaty of peace, which treaty shall be subject to ratification according to the respective constitutional forms of the two countries.

ARTICLE VI.

Upon the conclusion and signing of this protocol, hostilities between the two countries shall be suspended, and notice to that effect shall be given as soon as possible by each Government to the commanders of its military and naval forces.

Done at Washington in duplicate, in English and in French, by the undersigned, who have hereunto set their hands and seals, the 12th day of August, 1898.

[SEAL.] WILLIAM R. DAY  
[SEAL.] JULES CAMBON

saires ainsi nommés devront se rencontrer à Paris, le 1<sup>er</sup> Octobre 1898, au plus tard, et procéder à la négociation et à la conclusion d'un traité de paix; ce traité sera sujet à ratification, selon les formes constitutionnelles de chacun des deux pays.

ARTICLE VI.

A la conclusion et à la signature de ce protocole, les hostilités entre les deux pays devront être suspendues, et des ordres à cet effet devront être donnés aussitôt que possible par chacun des deux Gouvernements aux commandants de ses forces de terre et de mer.

Fait à Washington, en double exemplaire, anglais et français, par les Sous-signés qui y ont apposé leur signature et leur sceau, le 12 Août 1898.

[SEAL.] WILLIAM R. DAY  
[SEAL.] JULES CAMBON

Suspension of hostilities.

*Treaty of peace between the United States of America and the Kingdom of Spain.*

December 10, 1898.

30 Stats. L., p. 1754.

Signed at Paris, December 10, 1898; ratification advised by the Senate, February 6, 1899; ratified by the President, February 6, 1899; ratified by Her Majesty the Queen Regent of Spain, March 19, 1899; ratifications exchanged at Washington, April 11, 1899; proclaimed, Washington, April 11, 1899.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

Whereas, a Treaty of Peace between the United States of America and Her Majesty the Queen Regent of Spain, in the name of her August Son, Don Alfonso XIII, was concluded and signed by their respective plenipotentiaries at Paris on the tenth day of December, 1898, the original of which Convention being in the English and Spanish languages, is word for word as follows:

The United States of America and Her Majesty the Queen Regent of Spain,

Los Estados Unidos de América y S. M. la Reina Regente de España, en nom-

in the Name of Her August Son Don Alfonso XIII, desiring to end the state of war now existing between the two countries, have for that purpose appointed as Plenipotentiaries:

The President of the United States,

William R. Day, Cushman K. Davis, William P. Frye, George Gray, and Whitelaw Reid, citizens of the United States;

and Her Majesty the Queen Regent of Spain,

Don Eugenio Montero Ríos, President of the Senate,

Don Buenaventura de Abarzuza, Senator of the Kingdom and ex-Minister of the Crown,

Don José de Garnica, Deputy to the Cortes and Associate Justice of the Supreme Court;

Don Wenceslao Ramirez de Villa-Urrutia, Envoy Extraordinary and Minister Plenipotentiary at Brussels, and

Don Rafael Cerero, General of Division;

Who, having assembled in Paris, and having exchanged their full powers, which were found to be in due and proper form, have, after discussion of the matters before them, agreed upon the following articles:

#### ARTICLE I.

Spain relinquishes all claim of sovereignty over and title to Cuba.

And as the island is, upon its evacuation by Spain, to be occupied by the United States, the United States will, so long as such occupation shall last, assume and discharge the obligations

bre de Su Augusto Hijo Don Alfonso XIII, deseando poner término al estado de guerra hoy existente entre ambas Naciones, han nombrado con este objeto por sus Plenipotenciarios á saber:

El Presidente de los Estados Unidos de America á:

William R. Day, Cushman K. Davis, William P. Frye, George Gray y Whitelaw Reid, ciudadanos de los Estados Unidos;

Y su Majestad la Reina Regente de España, á

Don Eugenio Montero Ríos, Presidente del Senado.

Don Buenaventura de Abarzuza Senador del Reino, Ministro que ha sido de la Corona,

Don José de Garnica, Diputado á Cortes, Magistrado del Tribunal Supremo.

Don Wenceslao Ramirez de Villa-Urrutia, Enviado Extraordinario y Ministro plenipotenciario en Bruselas, y

Don Rafael Cerero, General de division;

Los cuales reunidos en Paris, después de haberse comunicado sus plenos poderes que fueron hallados en buena y debida forma, y previa la discusión de las materias pendientes, han convenido en los siguientes artículos:

#### ARTÍCULO I.

España renuncia todo derecho de soberanía y propiedad sobre Cuba.

En atención á que dicha isla, cuando sea evacuado por España, va á ser ocupada por los Estados Unidos, los Estados Unidos mientras dure su ocupación, tomarán sobre sí y cumplirán las obli-

that may under international law result from the fact of its occupation, for the protection of life and property.

## ARTICLE II.

Spain cedes to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and the island of Guam in the Marianas or Ladrones.

## ARTICLE III.

Spain cedes to the United States the archipelago known as the Philippine Islands, and comprehending the islands lying within the following line:

A line running from west to east along or near the twentieth parallel of north latitude, and through the middle of the navigable channel of Bachi, from the one hundred and eighteenth (118th) to the one hundred and twenty seventh (127th) degree meridian of longitude east of Greenwich, thence along the one hundred and twenty seventh (127th) degree meridian of longitude east of Greenwich to the parallel of four degrees and forty five minutes ( $4^{\circ} 45'$ ) north latitude, thence along the parallel of four degrees and forty five minutes ( $4^{\circ} 45'$ ) north latitude to its intersection with the meridian of longitude one hundred and nineteen degrees and thirty five minutes ( $119^{\circ} 35'$ ) east of Greenwich, thence along the meridian of longitude one hundred and nineteen degrees and thirty five minutes ( $119^{\circ} 35'$ ) east of Greenwich to the parallel of

gaciones que por el hecho de ocuparla, les impone el Derecho Internacional, para la protección de vidas y haciendas.

## ARTÍCULO II.

España cede á los Estados Unidos la Isla de Puerto Rico y las demás que están ahora bajo su soberanía en las Indias Occidentales, y la Isla de Guam en el Archipiélago de las Marianas ó Ladrones.

## ARTÍCULO III.

España cede á los Estados Unidos el archipiélago conocido por las Islas Filipinas, que comprende las islas situadas dentro de las líneas siguientes:

Una línea que corre de Oeste á Este, cerca del  $20^{\circ}$  paralelo de latitud Norte, á través de la mitad del canal navegable de Bachi, desde el  $118^{\circ}$  al  $127^{\circ}$  grados de longitud Este de Greenwich; de aquí á lo largo del ciento veinti y siete (127) grado meridiano de longitud Este de Greenwich al paralelo cuatro grados cuarenta y cinco minutos ( $4^{\circ} 45'$ ) de latitud Norte; de aquí siguiendo el paralelo de cuatro grados cuarenta y cinco minutos de latitud Norte ( $4^{\circ} 45'$ ) hasta su intersección con el meridiano de longitud ciento diez y nueve grados y treinta y cinco minutos ( $119^{\circ} 35'$ ) Este de Greenwich; de aquí, siguiendo el meridiano de longitud ciento diez y nueve grados y treinta y cinco minutos ( $119^{\circ} 35'$ ) Este de Greenwich, al paralelo de latitud siete grados cuarenta minutos ( $7^{\circ} 40'$ ) Norte; de aquí siguiendo el paralelo de latitud siete grados cuarenta

latitude seven degrees and forty minutes ( $7^{\circ} 40'$ ) north, thence along the parallel of latitude seven degrees and forty minutes ( $7^{\circ} 40'$ ) north to its intersection with the one hundred and sixteenth (116th) degree meridian of longitude east of Greenwich, thence by a direct line to the intersection of the tenth (10th) degree parallel of north latitude with the one hundred and eighteenth (118th) degree meridian of longitude east of Greenwich, and thence along the one hundred and eighteenth (118th) degree meridian of longitude east of Greenwich to the point of beginning.

The United States will pay to Spain the sum of twenty million dollars (\$20,000,000) within three months after the exchange of the ratifications of the present treaty.

#### ARTICLE IV.

The United States will, for the term of ten years from the date of the exchange of the ratifications of the present treaty, admit Spanish ships and merchandise to the ports of the Philippine Islands on the same terms as ships and merchandise of the United States.

#### ARTICLE V.

The United States will, upon the signature of the present treaty, send back to Spain, at its own cost, the Spanish soldiers taken as prisoners of war on the capture of Manila by the American forces. The arms of the soldiers in question shall be restored to them.

minutos ( $7^{\circ} 40'$ ) Norte, á su intersección con el ciento diez y seis ( $116^{\circ}$ ) grado meridiano de longitud Este de Greenwich, de aquí por una línea recta, á la intersección del décimo grado paralelo de latitud Norte, con el ciento diez y ocho ( $118^{\circ}$ ) grado meridiano de longitud Este de Greenwich, y de aquí siguiendo el ciento diez y ocho grado ( $118^{\circ}$ ) meridiano de longitud Este de Greenwich, al punto en que comienza esta demarcación.

Los Estados Unidos pagarán á España la suma de veinte millones de dollars (\$20,000,000) dentro de los tres meses después del canje de ratificaciones del presente tratado.

#### ARTÍCULO IV.

Los Estados Unidos durante el término de diez años á contar desde el canje de la ratificación del presente tratado admitirán en los puertos de las Islas Filipinas los buques y las mercancías españolas, bajo las mismas condiciones que los buques y las mercancías de los Estados Unidos.

#### ARTÍCULO V.

Los Estados Unidos, al ser firmado el presente tratado, transportarán á España, á su costa, los soldados españoles que hicieron prisioneros de guerra las fuerzas Americanas al ser capturada Manila. Las armas de estos soldados les serán devueltas.



Spain will, upon the exchange of the ratifications of the present treaty, proceed to evacuate the Philippines, as well as the island of Guam, on terms similar to those agreed upon by the Commissioners appointed to arrange for the evacuation of Porto Rico and other islands in the West Indies, under the Protocol of August 12, 1898, which is to continue in force till its provisions are completely executed.

The time within which the evacuation of the Philippine Islands and Guam shall be completed shall be fixed by the two Governments. Stands of colors, uncaptured war vessels, small arms, guns of all calibres, with their carriages and accessories, powder, ammunition, livestock, and materials and supplies of all kinds, belonging to the land and naval forces of Spain in the Philippines and Guam, remain the property of Spain. Pieces of heavy ordnance, exclusive of field artillery, in the fortifications and coast defences, shall remain in their emplacements for the term of six months, to be reckoned from the exchange of ratifications of the treaty; and the United States may, in the mean time, purchase such material from Spain, if a satisfactory agreement between the two Governments on the subject shall be reached.

#### ARTICLE VI.

Spain will, upon the signature of the present treaty, release all prisoners of war, and all persons detained or imprisoned for political offences, in connection with the insurrections in Cuba

España, al canjearse las ratificaciones del presente tratado, procederá á evacuar las Islas Filipinas, así como la de Guam, en condiciones semejantes á las acordadas por las Comisiones nombradas para concertar la evacuación de Puerto Rico y otras Islas en las Antillas Occidentales, según el Protocolo de 12 de Agosto de 1898, que continuará en vigor hasta que sean completamente cumplidas sus disposiciones.

El término dentro del cual será completada la evacuación de las Islas Filipinas y la de Guam, será fijado por ambos Gobiernos. Serán propiedad de España banderas y estandartes, buques de guerra no apresados, armas portátiles, cañones de todos calibres con sus montajes y accesorios, pólvoras municiones, ganado, material y efectos de toda clase pertenecientes á los Ejércitos de mar y tierra de España en las Filipinas y Guam. Las piezas de grueso calibre, que no sean artillería de campaña, colocadas en las fortificaciones y en las costas, quedarán en sus emplazamientos por el plazo de seis meses á partir del canje de ratificaciones del presente tratado, y los Estados Unidos podrán, durante ese tiempo, comprar á España dicho material, si ambos Gobiernos llegan á un acuerdo satisfactorio sobre el particular.

#### ARTÍCULO VI.

España al ser firmado el presente tratado, pondrá en libertad á todos los prisioneros de guerra y á todos los detenidos ó presos por delitos políticos á consecuencia de las insurrecciones

and the Philippines and the war with the United States.

Reciprocally, the United States will release all persons made prisoners of war by the American forces, and will undertake to obtain the release of all Spanish prisoners in the hands of the insurgents in Cuba and the Philippines.

The Government of the United States will at its own cost return to Spain and the Government of Spain will at its own cost return to the United States, Cuba, Porto Rico, and the Philippines, according to the situation of their respective homes, prisoners released or caused to be released by them, respectively, under this article.

#### ARTICLE VII.

The United States and Spain mutually relinquish all claims for indemnity, national and individual of every kind, of either Government, or of its citizens or subjects, against the other Government, that may have arisen since the beginning of the late insurrection in Cuba and prior to the exchange of ratifications of the present treaty, including all claims for indemnity for the cost of the war.

The United States will adjudicate and settle the claims of its citizens against Spain relinquished in this article.

#### ARTICLE VIII.

In conformity with the provisions of Articles I, II, and III of this treaty, Spain relin-

en Cuba y en Filipinas y de la guerra con los Estados Unidos.

Recíprocamente, los Estados Unidos pondrán en libertad á todos los prisioneros de guerra hechos por las fuerzas Americanas, y gestionarán la libertad de todos los prisioneros españoles en poder de los insurrectos de Cuba y Filipinas.

El Gobierno de los Estados Unidos trasportará, por su cuenta á España, y el Gobierno de España trasportará por su cuenta á los Estados Unidos, Cuba, Puerto Rico y Filipinas, con arreglo á la situación de sus respectivos hogares, los prisioneros que pongan ó que hagan poner en libertad respectivamente, en virtud de este Artículo.

#### ARTÍCULO VII.

España y los Estados Unidos de América renuncian mutuamente, por el presente tratado, á toda reclamación de indemnización nacional ó privada de cualquier género de un Gobierno contra el otro, ó de sus súbditos ó ciudadanos contra el otro Gobierno, que pueda haber surgido desde el comienzo de la última insurrección en Cuba y sea anterior al canje de ratificaciones del presente tratado, así como á toda indemnización en concepto de gastos ocasionados por la guerra.

Los Estados Unidos juzgarán y resolverán las reclamaciones de sus ciudadanos contra España, á que renuncia en este artículo

#### ARTÍCULO VIII.

En cumplimiento de lo convenido en los Artículos I, II y III de este tratado, España

quishes in Cuba, and cedes in Porto Rico and other islands in the West Indies, in the island of Guam, and in the Philippine Archipelago, all the buildings, wharves, barracks, forts, structures, public highways and other immovable property which, in conformity with law, belong to the public domain, and as such belong to the Crown of Spain.

And it is hereby declared that the relinquishment or cession, as the case may be, to which the preceding paragraph refers, cannot in any respect impair the property or rights which by law belong to the peaceful possession of property of all kinds, of provinces, municipalities, public or private establishments, ecclesiastical or civic bodies, or any other associations having legal capacity to acquire and possess property in the aforesaid territories renounced or ceded, or of private individuals, of whatsoever nationality such individuals may be.

The aforesaid relinquishment or cession, as the case may be, includes all documents exclusively referring to the sovereignty relinquished or ceded that may exist in the archives of the Peninsula. Where any document in such archives only in part relates to said sovereignty, a copy of such part will be furnished whenever it shall be requested. Like rules shall be reciprocally observed in favor of Spain in respect of documents in the archives of the islands above referred to.

In the aforesaid relinquishment or cession, as the

renuncia en Cuba y cede en Puerto Rico y en las otras islas de las Indias Occidentales, en la Isla de Guam y en el Archipiélago de las Filipinas, todos los edificios, muelles, cuarteles, fortalezas, establecimientos, vías públicas y demás bienes inmuebles que con arreglo á derecho son del dominio público, y como tal corresponden á la Corona de España.

Queda por lo tanto declarado que esta renuncia ó cesión, según el caso, á que se refiere el párrafo anterior, en nada puede mermar la propiedad, ó los derechos que correspondan, con arreglo á las leyes, al poseedor pacífico, de los bienes de todas clases de las provincias, municipios, establecimientos públicos ó privados, corporaciones civiles ó eclesiásticas, ó de cualesquiera otras colectividades que tienen personalidad jurídica para adquirir y poseer bienes en los mencionados territorios renunciado ó cedidos, y los de los individuos particulares, cualquiera que sea su nacionalidad.

Dicha renuncia ó cesión, según el caso, incluye todos los documentos que se refieran exclusivamente á dicha Soberanía renunciada ó cedida, que existan en los Archivos de la Península.

Cuando estos documentos existentes en dichos Archivos, solo en parte correspondan á dicha Soberanía, se facilitarán copias de dicha parte, siempre que sean solicitadas. Reglas análogas habrán recíprocamente de observarse en favor de España, respecto de los documentos existentes en los Archivos de las Islas antes mencionadas.

En las antecitadas renuncia ó cesión, según el caso, se

case may be, are also included such rights as the Crown of Spain and its authorities possess in respect of the official archives and records, executive as well as judicial, in the islands above referred to, which relate to said islands or the rights and property of their inhabitants. Such archives and records shall be carefully preserved, and private persons shall without distinction have the right to require, in accordance with law, authenticated copies of the contracts, wills and other instruments forming part of notarial protocols or files, or which may be contained in the executive or judicial archives, be the latter in Spain or in the islands aforesaid.

#### ARTICLE IX.

Spanish subjects, natives of the Peninsula, residing in the territory over which Spain by the present treaty relinquishes or cedes her sovereignty, may remain in such territory or may remove therefrom, retaining in either event all their rights of property, including the right to sell or dispose of such property or of its proceeds; and they shall also have the right to carry on their industry, commerce and professions, being subject in respect thereof to such laws as are applicable to other foreigners. In case they remain in the territory they may preserve their allegiance to the Crown of Spain by making, before a court of record, within a year from the date of the exchange of ratifications of this treaty, a declaration of

hallan comprendidos aquellos derechos de la Corona de España y de sus Autoridades sobre los Archivos y Registros oficiales, así administrativos como judiciales de dichas islas, que se refieran á ellas y á los derechos y propiedades de sus habitantes. Dichos Archivos y Registros deberán ser cuidadosamente conservados y los particulares sin excepción, tendrán derecho á sacar, con arreglo á las Leyes, las copias autorizadas de los contratos, testamentos y demás documentos que formen parte de los protocolos notariales ó que se custodien en los Archivos administrativos, ó judiciales, bien estos se hallen en España, ó bien en las Islas de que se hace mención anteriormente.

#### ARTÍCULO IX.

Los súbditos españoles, naturales de la Península, residentes en el territorio cuya soberanía España renuncia ó cede por el presente tratado, podrán permanecer en dicho territorio ó marcharse de él, conservando en uno ú otro caso todos sus derechos de propiedad, con inclusión del derecho de vender ó disponer de tal propiedad ó de sus productos; y además tendrán el derecho de ejercer su industria, comercio ó profesión, sujetándose á este respecto á las leyes que sean aplicables á los demás extranjeros. En el caso de que permanezcan en el territorio, podrán conservar su nacionalidad española haciendo ante una oficina de registro, dentro de un año después del cambio de ratificaciones de este tratado,

their decision to preserve such allegiance; in default of which declaration they shall be held to have renounced it and to have adopted the nationality of the territory in which they may reside.

The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.

#### ARTICLE X.

The inhabitants of the territories over which Spain relinquishes or cedes her sovereignty shall be secured in the free exercise of their religion.

#### ARTICLE XI.

The Spaniards residing in the territories over which Spain by this treaty cedes or relinquishes her sovereignty shall be subject in matters civil as well as criminal to the jurisdiction of the courts of the country wherein they reside, pursuant to the ordinary laws governing the same; and they shall have the right to appear before such courts, and to pursue the same course as citizens of the country to which the courts belong.

#### ARTICLE XII.

Judicial proceedings pending at the time of the exchange of ratifications of this treaty in the territories over which Spain relinquishes or cedes her sovereignty shall be determined according to the following rules:

una declaración de su propósito de conservar dicha nacionalidad: á falta de esta declaración, se considerará que han renunciado dicha nacionalidad y adoptado la del territorio en el cual pueden residir.

Los derechos civiles y la condición política de los habitantes naturales de los territorios aquí cedidos á lo Estados Unidos se determinarán por el Congreso.

#### ARTÍCULO X.

Los habitantes de los territorios cuya Soberanía España renuncia ó cede, tendrán asegurado el libre ejercicio de su religión.

#### ARTÍCULO XI.

Los Españoles residentes en los territorios cuya soberanía cede ó renuncia España por este tratado, estarán sometidos en lo civil y en lo criminal á los tribunales del país en que residan con arreglo á las leyes communes que regulen su competencia, pudiendo comparecer ante aquellos, en la misma forma y empleando los mismos procedimientos que deban observar los ciudadanos del país á que pertenezca el tribunal.

#### ARTÍCULO XII.

Los procedimientos judiciales pendientes al canjearse las ratificaciones de este tratado, en los territorios sobre los cuales España renuncia ó cede su Soberanía, se determinarán con arreglo á las reglas siguientes:

1. Judgments rendered either in civil suits between private individuals, or in criminal matters, before the date mentioned, and with respect to which there is no recourse or right of review under the Spanish law, shall be deemed to be final, and shall be executed in due form by competent authority in the territory within which such judgments should be carried out.

2. Civil suits between private individuals which may on the date mentioned be undetermined shall be prosecuted to judgment before the court in which they may then be pending or in the court that may be substituted therefor.

3. Criminal actions pending on the date mentioned before the Supreme Court of Spain against citizens of the territory which by this treaty ceases to be Spanish shall continue under its jurisdiction until final judgment; but, such judgment having been rendered, the execution thereof shall be committed to the competent authority of the place in which the case arose.

#### ARTICLE XIII.

The rights of property secured by copyrights and patents acquired by Spaniards in the Island of Cuba, and in Porto Rico, the Philippines and other ceded territories, at the time of the exchange of the ratifications of this treaty, shall continue to be respected. Spanish scientific, literary and artistic works, not subversive of public order in the territo-

1. Las sentencias dictadas en causas civiles entre particulares ó en materia criminal, antes de la fecha mencionada, y contra las cuales no haya apelación ó casación con arreglo á las leyes españolas, se considerarán como firmes, y serán ejecutadas en debida forma por la Autoridad competente en el territorio dentro del cual dichas sentencias deban cumplirse.

2. Los pleitos civiles entre particulares que en la fecha mencionada no hayan sido juzgados, continuarán su tramitación ante el Tribunal en que se halle el proceso, ó ante aquel que lo sustituya.

3. Las acciones en materia criminal pendientes en la fecha mencionada ante el Tribunal Supremo de España contra ciudadanos del territorio que según este tratado deja de ser español, continuaran bajo su jurisdicción hasta que recaiga la sentencia definitiva; pero una vez dictada esa sentencia, su ejecución será encomendada á la Autoridad competente del lugar en que la acción se suscitó.

#### ARTÍCULO XIII.

Continuarán respetándose los derechos de propiedad literaria, artística é industrial, adquiridos por españoles en las Islas de Cuba y en las de Puerto Rico, Filipinas y demás territorios cedidos, al hacerse el canje de las ratificaciones este tratado. Las obras españolas científicas, literarias y artísticas, que no sean peligrosas para el orden público en di-



ries in question, shall continue to be admitted free of duty into such territories, for the period of ten years, to be reckoned from the date of the exchange of the ratifications of this treaty.

ARTICLE XIV.

Spain shall have the power to establish consular officers in the ports and places of the territories, the sovereignty over which has been either relinquished or ceded by the present treaty.

ARTICLE XV.

The Government of each country will, for the term of ten years, accord to the merchant vessels of the other country the same treatment in respect of all port charges, including entrance and clearance dues, light dues, and tonnage duties, as it accords to its own merchant vessels, not engaged in the coastwise trade.

This article may at any time be terminated on six months' notice given by either Government to the other.

ARTICLE XVI.

It is understood that any obligations assumed in this treaty by the United States with respect to Cuba are limited to the time of its occupancy thereof; but it will upon the termination of such occupancy, advise any Government established in the island to assume the same obligations.

chos territorios, continuarán entrando en los mismos, con franquicia de todo derecho de aduana por un plazo de diez años á contar desde el canje de ratificaciones de este tratado.

ARTÍCULO XIV.

España podrá establecer Agentes Consulares en los puertos y plazas de los territorios cuya renuncia y cesión es objeto de este tratado.

ARTÍCULO XV.

El Gobierno de cada país concederá, por el término de diez años, á los buques mercantes del otro el mismo trato en cuanto á todos los derechos de puerto, incluyendo los de entrada y salida, de faro y tonelaje, que concede á sus propios buques mercantes no empleados en el comercio de cabotaje.

Este artículo puede ser denunciado en cualquier tiempo dando noticia previa de ello cualquiera de los dos Gobiernos al otro con seis meses de anticipación.

ARTÍCULO XVI.

Queda entendido que cualquiera obligación aceptada en este tratado por los Estados Unidos con respecto á Cuba, está limitada al tiempo que dure su ocupación en esta isla, pero al terminar dicha ocupación, aconsejarán al Gobierno que se establezca en la isla que acepte las mismas obligaciones.

## ARTICLE XVII

## ARTÍCULO XVII.

The present treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Majesty the Queen Regent of Spain; and the ratifications shall be exchanged at Washington within six months from the date hereof, or earlier if possible.

In faith whereof, we, the respective Plenipotentiaries, have signed this treaty and have hereunto affixed our seals.

Done in duplicate at Paris, the tenth day of December, in the year of our Lord one thousand eight hundred and ninety eight.

[Seal] William R. Day

[Seal] Cushman K. Davis

[Seal] Wm P Frye

[Seal] Geo. Gray

[Seal] Whitelaw Reid.

El presente tratado será ratificado por el Presidente de los Estados Unidos, de acuerdo y con la aprobación del Senado, y por Su Majestad la Reina Regente de España; y las ratificaciones se canjearán en Washington dentro del plazo de seis meses desde esta fecha ó antes si posible fuese.

En fé de lo cual, los respectivos Plenipotenciarios firman y sellan este tratado.

Hecho por duplicado en Paris á diez de Diciembre del año mil ochocientos noventa y ocho.

[Seal] Eugenio Montero Ríos

[Seal] B. de Abarzuza

[Seal] J. de Garnica

[Seal] W R de Villa Urrutia

[Seal] Rafael Cerero

And whereas, the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of Washington, on the eleventh day of April, one thousand eight hundred and ninety-nine;

Now, therefore, be it known that I, William McKinley, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this eleventh day of April, in the year of Our Lord one thousand eight hundred and ninety-nine, and of the Independence of the United States the one hundred and twenty-third.

[SEAL.]

WILLIAM MCKINLEY

By the President:

JOHN HAY

*Secretary of State*

*Convention between the United States of America, Germany, and Great Britain, relating to the settlement of certain claims in Samoa by arbitration. Signed at Washington, November 7, 1899; ratified by the Emperor, February 18, 1900; ratification advised by the Senate, February 21, 1900; ratified by the Queen, February 22, 1900; ratified by the President, March 5, 1900; ratifications exchanged, March 7, 1900; proclaimed, March 8, 1900.*

November 7,  
1899.  
31 Stats. L., p.  
1875.

WILLIAM MCKINLEY,

PRESIDENT OF THE UNITED STATES OF AMERICA:

*To All to Whom these Presents shall come, Greeting:*

Know Ye, that whereas a Convention between the United States of America, Germany and Great Britain, relating to the settlement of certain claims in Samoa by arbitration, was concluded at Washington, on the seventh of November, one thousand eight hundred and ninety-nine, the original of which Convention, being in the English and German languages, is word for word as follows:

Preamble.

CONVENTION.

ABKOMMEN.

CONVENTION.

RELATING TO THE SETTLEMENT OF CERTAIN CLAIMS IN SAMOA BY ARBITRATION.

BEHUF S SCHIEDS-GERICHTLICHER REGELUNG GEWISSE SCHADENERSATZ ANSPRÜCHE AUF SAMOA.

RELATING TO THE SETTLEMENT OF CERTAIN CLAIMS IN SAMOA BY ARBITRATION.

The President of the United States of America, His Majesty the German Emperor, King of Prussia, in the name of the German Empire, and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being desirous of effecting a prompt and satisfactory settlement of the claims of the citizens and subjects of their respective countries resident in the Samoan Islands on account of recent military operations conducted there, and having resolved to conclude a Convention for the accomplishment of this end by means of arbitration have ap-

Der Präsident der Vereinigten Staaten von Amerika, Seine Majestät der Deutsche Kaiser, König von Preussen, im Namen des Deutschen Reiches, und Ihre Majestät die Königin des Vereinigten Königreichs von Grossbritannien und Irland, geleitet von dem Wunsche, die durch die jüngst auf den Samoa-Inseln staatgefundenen militärischen Aktionen veranlassten Schadens-Ersatz-Ansprüche der dortselbst ansässigen Angehörigen der beteiligten Reiche und Staaten baldigst und allseitig zufriedenstellend zu erledigen, und entschlossen, ein

The President of the United States of America, His Majesty the German Emperor, King of Prussia, in the name of the German Empire, and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being desirous of effecting a prompt and satisfactory settlement of the claims of the citizens and subjects of their respective countries resident in the Samoan Islands on account of recent military operations conducted there, and having resolved to conclude a Convention for the accomplishment of this end by means of arbitration, have ap-

pointed as their respective plenipotentiaries:

Abkommen behufs schiedsgerichtlicher Regelung dieser Fragen abzuschliessen, haben zu Ihren Bevollmächtigten ernannt:

pointed as their respective plenipotentiaries:

Plenipotentiaries.

The President of the United States of America, The Honorable John Hay, Secretary of State of the United States;

His Majesty the German Emperor, King of Prussia, His Minister in Extraordinary Mission, *Dr. Jur. Mumm von Schwarzenstein*, Privy Councilor of Legation; and

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Mr. Reginald Tower, Her Britannic Majesty's *Chargé d'Affaires ad interim*;

Who, after having communicated to each other their full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

#### ARTICLE I.

Arbitration of claims.

All claims put forward by American citizens or Germans or British subjects respectively, whether individuals or companies, for compensation on account of losses which they allege that they have suffered in consequence of unwarranted military action, if this be shown to have occurred, on the part of American, German or British officers between the first of January last and the arrival of the Joint Commission in Samoa shall be decided by arbitration

Der Präsident der Vereinigten Staaten von Amerika den Staatssekretär der Vereinigten Staaten, The Honorable John Hay;

Seine Majestät der Deutsche Kaiser, König von Preussen, Allerhöchstihren Gesandten in ausserordentlicher Mission, den Geheimen Legationsrath *Dr. jur. Mumm von Schwarzenstein*;

Ihre Majestät die Königin des Vereinigten Königreichs von Grossbritannien und Irland Allerhöchstihren Geschäftsträger *ad interim*, Mr. Reginald Tower; welche, nach gegenseitiger Mittheilung ihrer in guter und gehöriger Form befundenen Vollmachten, folgende Bestimmungen vereinbart und ausgemacht haben:

#### ARTIKEL I.

Alle Ansprüche, welche von Amerikanischen Bürgern, von Deutschen oder von Britischen Unterthanen und zwar sowohl von Einzelpersonen wie auch von Gesellschaften, wegen Ersatzes von Schäden geltend gemacht werden, welche sie in Folge der ungerechtfertigten militärischen Aktion amerikanischer, deutscher oder englischer Offiziere, sofern eine solche nachgewiesen wird, in dem Zeitabschnitt vom 1. Januar d. J. bis zu dem Tage erlitten zu haben vor-

The President of the United States of America, the Honorable John Hay, Secretary of State of the United States;

His Majesty the German Emperor, King of Prussia, His Minister in Extraordinary Mission, *Dr. Jur. Mumm von Schwarzenstein*, Privy Councillor of Legation; and

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Mr. Reginald Tower, Her Britannic Majesty's *Chargé d'Affaires ad interim*;

Who, after having communicated to each other their full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

#### ARTICLE I.

All claims put forward by American citizens or Germans or British subjects respectively, whether individuals or companies, for compensation on account of losses which they allege that they have suffered in consequence of unwarranted military action, if this be shown to have occurred, on the part of American, German or British officers between the first of January last and the arrival of the Joint Commission in Samoa shall be decided by arbitration

in conformity with the principles of International Law or considerations of equity.

geben, am welchem die Ankunft der Kommission auf Samoa erfolgt ist, sollen durch einen nach Grundsätzen des Rechts oder nach Erwägungen der Billigkeit zu fällenden Schiedsspruch erledigt werden.

in conformity with the principles of International Law or considerations of equity.

## ARTICLE II.

The three Governments shall request His Majesty the King of Sweden and Norway to accept the office of Arbitrator. It shall also be decided by this arbitration whether, and eventually to what extent, either of the three Governments is bound, alone or jointly with the others, to make good these losses.

## ARTIKEL II.

Seine Majestät der König von Schweden und Norwegen wird seitens der drei Regierungen ersucht werden, das Amt des Schiedsrichters anzunehmen. Durch diesen Schiedsspruch soll ferner entschieden werden, ob die eine oder die andere der drei Regierungen allein oder in Verbindung mit einer der anderen Regierungen, oder in Verbindung mit beiden anderen Regierungen diese Schäden zu ersetzen hat und eventuell in welchem Umfange.

## ARTICLE II.

The three Governments shall request His Majesty the King of Sweden and Norway to accept the office of Arbitrator. It shall also be decided by this arbitration whether, and eventually to what extent, either of the three Governments is bound, alone or jointly with the others, to make good these losses.

Arbitrator.  
Scope of arbitration.

## ARTICLE III.

Either of the three Governments may, with the consent of the others, previously obtained in every case, submit to the King for arbitration, similar claims of persons not being natives, who are under the protection of that Government, and who are not included in the above mentioned categories.

## ARTIKEL III.

Jeder der drei Regierungen soll es, nachdem sie in jedem Falle die vorhergehende Zustimmung der anderen Regierungen erlangt hat, gestattet sein, dem Schiedsspruche des Königs auch ähnliche Ansprüche von solchen nicht eingeborenen Personen zu unterbreiten, welche unter dem Schutze der betreffenden Macht stehen und nicht den oben erwähnten Kategorien angehören.

## ARTICLE III.

Either of the three Governments may, with the consent of the others, previously obtained in every case, submit to the King for arbitration, similar claims of persons not being natives, who are under the protection of that Government, and who are not included in the above mentioned categories.

Claims of persons not natives.

## ARTICLE IV.

The present Convention shall be duly ratified by the President of the United States.

## ARTIKEL IV.

Das gegenwärtige Abkommen soll von dem Präsidenten der Vereinigten Staaten ratifiziert werden.

## ARTICLE IV.

The present Convention shall be duly ratified by the President of the United States.

Ratification.

States of America, by and with the advice and consent of the Senate thereof, and by His Majesty the German Emperor, King of Prussia; and by Her Majesty the Queen of the United Kingdom of Great Britain and Ireland; and the ratifications shall be exchanged at Washington four months from the date hereof, or earlier if possible.

von Amerika unter Zuziehung und mit Zustimmung des Senates der Vereinigten Staaten, von Seiner Majestät dem Deutschen Kaiser, König von Preussen und von Ihrer Majestät der Königin des Vereinigten Königreichs von Grossbritannien und Irland ratifiziert werden; und die Ratifikationsurkunden sollen in vier Monaten von dem heutigen Tage an gerechnet oder wenn möglich früher in Washington ausgetauscht werden.

States of America, by and with the advice and consent of the Senate thereof, and by His Majesty the German Emperor, King of Prussia; and by Her Majesty the Queen of the United Kingdom of Great Britain and Ireland; and the ratifications shall be exchanged at Washington four months from the date hereof, or earlier if possible.

Signatures.

In faith whereof, we, the respective Plenipotentiaries, have signed this Convention and have hereunto affixed our seals.

Done in triplicate at Washington the seventh day of November, one thousand eight hundred and ninety-nine.

Zu Urkund dessen haben wir, die unterfertigten Bevollmächtigten, dieses Abkommen unterzeichnet und unsere Siegel beigesdrückt.

So geschehen in dreifacher Ausfertigung zu Washington, den siebenten November eintausend achthundert neunundneunzig.

In faith whereof, we, the respective Plenipotentiaries, have signed this Convention and have hereunto affixed our seals.

Done in triplicate at Washington the seventh day of November, one thousand eight hundred and ninety-nine.

JOHN HAY  
A V MUMM

REGINALD TOWER

[SEAL.]  
[SEAL.]  
[SEAL.]

Proclamation.

And Whereas the said Convention has been duly ratified on the three parts and the ratifications of the three Governments were exchanged in the City of Washington on the seventh day of March, one thousand nine hundred:

Now, Therefore, be it known that I, William McKinley, President of the United States of America, have caused the said convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In Witness Whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this eighth day of March in the year of our Lord one thousand nine hundred, and of the Independence of the United States the one hundred and twenty-fourth.

[SEAL.]

WILLIAM MCKINLEY

By the President:

JOHN HAY

*Secretary of State.*



*Convention between the United States, Germany, and Great Britain to adjust amicably the questions between the three Governments in respect to the Samoan group of islands. Signed, December 2, 1899; ratification advised by the Senate, January 16, 1900; ratified by the President, February 13, 1900; ratifications exchanged, February 16, 1900; proclaimed, February 16, 1900.*

December 2,  
1899.  
31 Stats. L., p.  
1878.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,  
A PROCLAMATION.

Whereas, the Convention between the United States of America, Germany and Great Britain, to adjust amicably the questions which have arisen between the three governments in respect to the Samoan group of Islands and to avoid all future misunderstanding in respect to their joint or several rights and claims of possession or jurisdiction therein, was concluded and signed by their respective Plenipotentiaries, at the City of Washington, on the second day of December, 1899, the original of which Convention, being in the English and German languages, is word for word as follows:

Preambles.

The President of the United States of America, His Imperial Majesty the German Emperor, King of Prussia, and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, desiring to adjust amicably the questions which have arisen between them in respect to the Samoan group of Islands, as well as to avoid all future misunderstanding in respect to their joint or several rights and claims of possession or jurisdiction therein, have agreed to establish and regulate the same by a special convention; and whereas the Governments of Germany and Great Britain have, with the concurrence of that of the United States, made an agreement regarding their respective rights and interests in the aforesaid group, the three Powers before named in furtherance of the ends above mentioned have appointed respectively their Plenipotentiaries as follows:

The President of the United States of America, The Honorable John Hay, Secretary of State of the United States;

Plenipotentiaries.

His Majesty the German Emperor, King of Prussia, His Ambassador Extraordinary and Plenipotentiary, Herr von Holleben; and

Her Majesty the Queen of Great Britain and Ireland, Empress of India, the Right Honorable Lord Pauncefote of Preston, G. C. B., G. C. M. G., Her Britanic Majesty's Ambassador Extraordinary and Plenipotentiary:

who, after having communicated each to the other their respective full powers which were found to be in proper form, have agreed upon and concluded the following articles:

ARTICLE I.

The General Act concluded and signed by the aforesaid Powers at Berlin on the 14th day of June, A. D. 1889, and all previous treaties, conventions and agreements relating to Samoa, are annulled.

General act,  
etc., annulled.

ARTICLE II.

Renunciation  
to United States  
of claim to Tu-  
tuila, etc.

Germany renounces in favor of the United States of America all her rights and claims over and in respect to the Island of Tutuila and all other islands of the Samoan group east of Longitude 171° west of Greenwich.

Great Britain in like manner renounces in favor of the United States of America all her rights and claims over and in respect to the Island of Tutuila and all other islands of the Samoan group east of Longitude 171° west of Greenwich.

—to Germany as  
to Upolu and  
Savaii, etc.

Reciprocally, the United States of America renounce in favor of Germany all their rights and claims over and in respect to the Islands of Upolu and Savaii and all other Islands of the Samoan group west of Longitude 171° west of Greenwich.

ARTICLE III.

Equal com-  
mercial privi-  
leges.

It is understood and agreed that each of the three signatory Powers shall continue to enjoy, in respect to their commerce and commercial vessels, in all the islands of the Samoan group privileges and conditions equal to those enjoyed by the sovereign Power, in all ports which may be open to the commerce of either of them.

ARTICLE IV.

Effect, etc.

The present Convention shall be ratified as soon as possible, and shall come into force immediately after the exchange of ratifications.

Signatures.

In faith whereof, we, the respective Plenipotentiaries, have signed this Convention and have hereunto affixed our seals.

Done in triplicate, at Washington, the second day of December, in the year of Our Lord one thousand eight hundred and ninety-nine.

JOHN HAY            [SEAL.]  
HOLLEBEN           [SEAL.]  
PAUNCEFOTE.       [SEAL.]

Preamble.

Der Präsident der Vereinigten Staaten von Amerika, Seine Majestät der Deutsche Kaiser, König von Preussen, im Namen des Deutschen Reiches, und Ihre Majestät die Königin des Vereinigten Königreichs von Grossbritannien und Irland, Kaiserin von Indien, von dem Wunsche geleitet, auf freundschaftlichem Wege die Fragen, welche in Betreff der Samoa-Inseln sich ergeben haben, zu erledigen, und allen künftigen Missverständnissen über gemeinschaftliche oder besondere Besitzrechte und Ansprüche oder über Ausübung der Gerichtsbarkeit auf diesen Inseln vorzubeugen, sind übereingekommen, Alles dies durch eine besondere Convention zu ordnen und festzulegen. Nachdem zwischen den Regierungen Deutschlands und Englands, mit Uebereinstimmung derjenigen der Vereinigten Staaten, über ihre wechselseitigen Rechte und Interessen an diesen Inseln bereits ein Uebereinkommen getroffen worden ist, haben die drei vorgenannten

Mächte im Hinblick auf das vorerwähnte Ziel nachstehende Bevollmächtigte ernannt:

Der Präsident der Vereinigten Staaten von Amerika <sup>Plenipotentiaries.</sup>  
den Staatssekretär der Vereinigten Staaten The Honorable John Hay;

Seine Majestät der Deutsche Kaiser, König von Preussen, Allerhöchstihren ausserordentlichen und bevollmächtigten Botschafter, Wirklichen Geheimen Rath, Dr. von Holleben;

Ihre Majestät die Königin des Vereinigten Königreichs von Grossbritannien und Irland Allerhöchstihren ausserordentlichen und bevollmächtigten Botschafter The Right Honorable Lord Pauncefoot of Preston, G. C. B., G. C. M. G.;

welche nach gegenseitiger Mittheilung ihrer in guter und gehöriger Form befundenen Vollmachten folgende Bestimmungen vereinbart und ausgemacht haben:

#### ARTIKEL I.

Die von den vorgenannten Mächten am 14. Juni 1889 <sup>General act, etc., annulled.</sup> in Berlin abgeschlossene und unterzeichnete Generalacte wird hiermit aufgehoben; desgleichen werden alle dieser Acte vorausgegangenen Verträge, Abkommen und Vereinbarungen aufgehoben.

#### ARTIKEL II.

Deutschland verzichtet zu Gunsten der Vereinigten Staaten von Amerika auf alle seine Rechte und Ansprüche <sup>Renunciation to United States of claim to Tutuila, etc.</sup> an der Insel Tutuila und an allen anderen östlich des 171sten Längengrades westlich von Greenwich gelegenen Inseln der Samoa-Gruppe.

In gleicher Weise verzichtet Grossbritannien zu Gunsten der Vereinigten Staaten von Amerika auf alle seine Rechte und Ansprüche an der Insel Tutuila und an allen anderen östlich des 171sten Längengrades westlich von Greenwich gelegenen Inseln der Samoa-Gruppe.

In gleicher Weise verzichten die Vereinigten Staaten <sup>—to Germany as to Upolu and Savaii, etc.</sup> von Amerika zu Gunsten Deutschlands auf alle ihre Rechte und Ansprüche auf die Inseln Upolu und Savaii und alle anderen westlich des 171sten Längengrades westlich von Greenwich gelegenen Inseln der Samoa-Gruppe.

#### ARTIKEL III.

Es wird ausdrücklich ausgemacht und vereinbart, dass <sup>Equal commercial privileges.</sup> jede der drei unterzeichneten Mächte auch fernerhin für ihren Handel und ihre Handelsschiffe in allen der Samoa-Gruppe die gleichen Vorrechte und Zugeständnisse genießen soll, welche die Souveräne Macht in allen den Häfen geniesst, die dem Handel einer dieser Mächte offen stehen.

#### ARTIKEL IV.

Die vorliegende Convention soll sobald als möglich ratifiziert werden und unmittelbar nach Austausch der Ratifikationen in Kraft treten. <sup>Effect, etc.</sup>

Zu Urkund dessen haben die Unterzeichneten sie vollzogen und ihre Siegel beigedrückt.

Signatures.

So geschehen in dreifacher Ausfertigung zu Washington, den 2. Dezember 1899.

JOHN HAY (SEAL)  
HOLLEBEN (SEAL)  
PAUNCEFOTE. (SEAL)

And whereas the said Convention has been duly ratified on the part of each Government and the ratifications of the three Governments were exchanged in the Cities of Washington, Berlin and London on the sixteenth day of February, one thousand nine hundred, in the following manner, to wit, each Government handing to the Ambassadors of the other two, at its capital, its ratification:

Now, therefore, be it known, that I, William McKinley, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the City of Washington, this sixteenth day of February, in the year of Our Lord one thousand [SEAL.] nine hundred, and of the Independence of the United States the one hundred and twenty-fourth.

WILLIAM MCKINLEY

By the President:

JOHN HAY

Secretary of State.

March 29, 1900.

31 Stats. L., p. 1881.

Philippine Islands, registration of Spanish subjects in.

*Protocol of agreement extending, as to the Philippine Islands, for six months from April 11, 1900, the period fixed in Article IX of the Treaty of Peace between the United States and Spain, signed at Paris December 10, 1898, during which Spanish subjects, natives of the Peninsula, may declare their intention to retain their Spanish nationality. Signed at Washington, March 29, 1900; advice and consent of the Senate, April 27, 1900; proclaimed, April 28, 1900.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

### A PROCLAMATION.

Preamble.

Whereas a protocol of agreement extending, as to the Philippine Islands, for six months from April 11, 1900, the period fixed in Article IX of the Treaty of Peace between the United States and Spain, signed at Paris on the tenth day of December, 1898, during which Spanish subjects, natives of the Peninsula, may declare before a court of record their intention to retain their Spanish

nationality, was signed at Washington on March 29, 1900, by the Honorable John Hay, Secretary of State of the United States, and the Duke de Arcos, envoy extraordinary and minister plenipotentiary of Spain at Washington, the original of which protocol of agreement being in the English and Spanish languages, is word for word as follows:

Whereas by the ninth Article of the Treaty of Peace between the United States of America and the Kingdom of Spain, signed at Paris on December 10, 1898, it was stipulated and agreed that Spanish subjects, natives of the Peninsula, remaining in the territory over which Spain by Articles I and II of the said treaty relinquished or ceded her sovereignty could preserve their allegiance to the Crown of Spain by making before a court of record within a year from the date of the exchange of ratifications of said treaty, a declaration of their decision to preserve such allegiance;

And whereas the two High Contracting Parties are desirous of extending the time within which such declaration may be made by Spanish subjects, natives of the Peninsula, remaining in the Philippine Islands;

The undersigned Plenipotentiaries, in virtue of their full powers, have agreed upon and concluded the following article:

#### SOLE ARTICLE.

The period fixed in Article IX of the Treaty of Peace between the United States and Spain, signed at Paris on the tenth day of December, 1898, during which Spanish subjects, natives of the Peninsula, may declare before a court of record their intention to retain their Spanish nationality, is extended as to the Philippine Islands for

Habiendose estipulado y convenido en el Artículo 9º del Tratado de Paz, firmado en Paris el dia 10 de Diciembre de 1898, entre los Estados Unidos de América y España, que los súbditos españoles, naturales de la Península, que permanecieran en los territorios cuyo Soberania España renunció ó cedió por los Artículos 1º y 2º del referido Tratado, podrán conservar su nacionalidad Española, haciendo ante una oficina de registro, dentro de un año despues del cambio de ratificaciones del Tratado, una declaración de su propósito de conservar dicha nacionalidad:

Y deseando las dos Altas Partes Contratantes extender el plazo dentro del cual los súbditos Españoles, naturales de la Península, residentes en las Islas Filipinas, puedan hacer tal declaración:

Los infrascritos Plenipotenciarios, en virtud de sus plenos poderes, han convenido y concluido el siguiente artículo:

#### ARTÍCULO ÚNICO.

El plazo fijado en el Artículo IX del Tratado de Paz entre los Estados Unidos y España, firmado en Paris el 10 de Diciembre de 1898, durante el cual los súbditos Españoles, naturales de la Península, pueden declarar, ante una oficina de registro, su propósito de conservar su nacionalidad Española, se extiende en cuanto á las Islas

The time extended to Spanish subjects for declaration of intention to retain Spanish nationality.

six months beginning April 11, 1900.

Filipinas por seis meses empezando el 11 de Abril de 1900.

In witness whereof, the respective Plenipotentiaries have signed the same and have thereunto affixed their seals.

En fé de lo cual, los respectivos Plenipotenciarios firman y sellan este artículo.

Done in duplicate at Washington the 29th day of March, in the year of Our Lord one thousand nine hundred.

Hecho por duplicado á Wáshington, al día 29 de Martes, del año de Nuestro Señor, mil nueve cientos.

Signatures.

JOHN HAY  
ARCOS

[SEAL.]  
[SEAL.]

Proclamation.

And whereas the Senate of the United States, by its resolution of April 27, 1900, (two-thirds of the Senators present concurring therein,) did advise and consent to the proclamation of the said protocol of agreement:

Now, therefore, I, William McKinley, President of the United States of America, have caused the said protocol of agreement to be made public to the end that every article and clause thereof may be observed in good faith by the United States and the citizens thereof.

In testimony whereof, I have set my hand and caused the seal of the United States to be hereunto affixed.

Done at the City of Washington this twenty-eighth day of April, in the year of our Lord one thousand nine hundred, and of the independence of the United States the one hundred and twenty-fourth.

WILLIAM MCKINLEY

By the President:

JOHN HAY

Secretary of State.

November 7, 1900.

81 Stats. L., p. 1942.

Cession of out-lying islands of the Philippines.

*Treaty between the United States and Spain for the cession to the United States of any and all islands of the Philippine archipelago lying outside of the lines described in Article III of the treaty of peace of December 10, 1898. Signed at Washington November 7, 1900; ratification advised by the Senate January 22, 1901; ratified by the President January 30, 1901; ratified by Spain February 25, 1901; ratifications exchanged at Washington March 23, 1901; proclaimed March 23, 1901.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

### A PROCLAMATION.

Whereas a Convention between the United States of America and Spain, providing for the cession to the United States of any and all islands of the Philippine Archipelago



outside of the lines described in Article III of the Treaty of Peace concluded by them at Paris on December 398, was concluded and signed by their respective plenipotentiaries at the City of Washington on the seventh of November, 1900, which Convention, being in the English and Spanish languages, is word for word as follows:

The United States of America and Her Majesty Queen Regent of Spain, in the name of Her August Majesty Don Alfonso XIII, desiring to remove any ground for misunderstanding growing out of the interpretation of Article III of the Treaty of Peace concluded between them at Paris the tenth day of December, one thousand nine hundred and ninety, whereby Spain cedes to the United States the archipelago known as the Philippine Islands and commanding the islands lying within certain described limits, and having resolved to conclude a Treaty to accomplish that end, have for that purpose appointed as their respective plenipotentiaries:

The President of the United States, John Hay, Secretary of State of the United States;

and Her Majesty the Queen Regent of Spain, the Duke of Arcos, Envoy Extraordinary and Minister Plenipotentiary of Spain to the United States;

who, having met in the City of Washington and having exchanged their full powers, which were found to be in good and proper form, have agreed upon the following article:

#### SOLE ARTICLE

Spain relinquishes to the United States all title and right of title, which she may

Los Estados Unidos de América, y Su Majestad la Reina Regente de España, en nombre de Su Augusto Hijo Don Alfonso XIII, deseando evitar cualquier desavenencia á que pudiera dar lugar la interpretación del artículo III del Tratado de Paz, firmado por ambas Partes contratantes en Paris, el día diez de Diciembre del año mil ochocientos noventa y ocho, en virtud del cual España cede á los Estados Unidos el Archipiélago conocido con el nombre de Islas Filipinas, y que constituyen las islas situadas dentro de los límites que en el mismo se expresan; han resuelto celebrar un Tratado con el fin de alcanzar el indicado propósito, nombrando Plenipotenciarios:

El Presidente de los Estados Unidos á John Hay, Secretario de Estado de los Estados Unidos;

y Su Majestad la Reina Regente de España, al Duque de Arcos, Enviado Extraordinario y Ministro Plenipotenciario de España en los Estados Unidos;

los cuales, reunidos en la ciudad de Washington, después de haberse comunicado sus plenos poderes, que fueron hallados en buena y debida forma, han convenido en el artículo único siguiente:

#### ARTÍCULO ÚNICO

España renuncia en favor de los Estados Unidos á todo título ó derecho que, al fir-

Plenipotenciarios.

Territory relinquished.

have had at the time of the conclusion of the Treaty of Peace of Paris, to any and all islands belonging to the Philippine Archipelago, lying outside the lines described in Article III of that Treaty and particularly to the islands of Cagayan Sulu and Sibutu and their dependencies, and agrees that all such islands shall be comprehended in the cession of the Archipelago as fully as if they had been expressly included within those lines.

**Consideration.** The United States, in consideration of this relinquishment, will pay to Spain the sum of one hundred thousand dollars (\$100,000) within six months after the exchange of the ratifications of the present Treaty.

**Ratification.** The present Treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Majesty the Queen Regent of Spain, after approval by the Cortes of the Kingdom, and the ratifications shall be exchanged at Washington as soon as possible.

In faith whereof, we, the respective Plenipotentiaries, have signed this Treaty and have hereunto affixed our seals.

Done in duplicate at the city of Washington, the 7th day of November, in the year of Our Lord one thousand nine hundred.

**Signatures.**

JOHN HAY [SEAL]  
ARCOS [SEAL]

marse el Tratado de Paz de Paris, hubiese podido tener sobre cada una ó todas las Islas pertenecientes al Archipiélago Filipino, situada fuera de los límites especificados en el artículo III de dicho Tratado de Paris, y especialmente á las Islas de Cagayan de Joló y Sibutu y sus dependencias: y conviene en que todas ellas queden comprendidas en la cesión de Archipiélago, en idénticas condiciones á aquellas que fueron expresamente incluidas dentro de la mencionada delimitación.

Los Estados Unidos, en atención á esta renuncia, pagarán á España la suma de cien mil dollars (\$100,000) dentro del plazo de seis meses á contar desde el día del canje de ratificaciones del presente Tratado.

El presente Tratado será ratificado por el Presidente de los Estados Unidos, con el consejo y consentimiento del Senado, y por Su Majestad la Reina Regente de España, previa aprobación de las Cortes del Reino, y se canjearán las ratificaciones en Washington en el mas breve plazo posible.

En fé de lo cual, los respectivos Plenipotenciarios firman y sellan este Tratado.

Hecho por duplicado en la Ciudad de Washington el día 7 de Noviembre del año mil novecientos.

JOHN HAY [SEAL]  
ARCOS [SEAL]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington on the twenty-third day of March, one thousand nine hundred and one;

Now, therefore, be it known that I, William McKinley, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof. Proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 23rd day of March, in the year of Our Lord one thousand nine hundred and one, and of the Independence of the United States the one hundred and twenty-fifth.

WILLIAM MCKINLEY

By the President:

JOHN HAY

*Secretary of State.*

*Commercial convention between the United States and Cuba.* December 11, 1902.

Signed at Havana, December 11, 1902; ratification with amendments advised by the Senate March 19, 1903; ratified by the President, March 30, 1903; ratified by Cuba, March 30, 1903; ratifications exchanged at Washington, March 31, 1903; proclaimed, December 17, 1903.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

### A PROCLAMATION.

Whereas a Convention between the United States of America and the Republic of Cuba to facilitate their commercial intercourse by improving the conditions of trade between the two countries, was concluded and signed by their respective plenipotentiaries at the City of Havana on the eleventh day of December, 1902, the original of which Convention, being in the English and Spanish languages, is, as amended by the Senate of the United States, word for word as follows:

The President of the United States of America and the President of the Republic of Cuba, animated by the desire to strengthen the bonds of friendship between the two countries, and to facilitate their commercial intercourse by improving the conditions of trade between them, have resolved to enter into a convention for that purpose, and have appointed

El Presidente de los Estados Unidos de America, y el Presidente de la República de Cuba, inspirados en el deseo de estrechar los lazos de amistad entre ambos paises; y con el propósito de facilitar sus relaciones comerciales, mejorando las condiciones del tráfico mercantil entre las dos naciones, han resuelto celebrar un tratado y han designado como

their respective Plenipotentiaries, to-wit:—

The President of the United States of America, the Honorable General Tasker H. Bliss;

The President of the Republic of Cuba, the Honorable Carlos de Zaldo y Beurmann, Secretary of State and Justice, and the Honorable José M. García y Montes, Secretary of the Treasury; who, after an exchange of their full powers found to be in good and due form, have, in consideration of and in compensation for the respective concessions and engagements made by each to the other as hereinafter recited, agreed and do hereby agree upon the following Articles for the regulation and government of their reciprocal trade, namely:—

#### ARTICLE I.

During the term of this convention, all articles of merchandise being the product of the soil or industry of the United States which are now imported into the Republic of Cuba free of duty, and all articles of merchandise being the product of the soil or industry of the Republic of Cuba which are now imported into the United States free of duty, shall continue to be so admitted by the respective countries free of duty.

#### ARTICLE II.

During the term of this convention, all articles of merchandise not included in the foregoing Article I and being the product of the soil or industry of the Republic of Cuba imported into the

sus respectivos Plenipotenciarios:

El Presidente de los Estados Unidos de America al Honorable General Tasker H. Bliss:

El Presidente de la República de Cuba al Sr. Carlos de Zaldo y Beurmann, Secretario de Estado y Justicia, y al Sr. José M. García y Montes, Secretario de Hacienda; quienes, previo el canje de sus credenciales, extendidas en debida forma, y en consideración y compensación de las respectivas concesiones y obligaciones contraídas por una y otra parte, según aquí se consigna, han convenido en los siguientes artículos:

#### ARTICULO I.

Mientras rija el presente Tratado, todos los artículos ó mercancías, que sean productos del suelo ó de la industria de los Estados Unidos, que ahora se importan en la República de Cuba libre de derechos, y todos los artículos ó mercancías que sean productos del suelo ó de la industria de la República de Cuba, que ahora se importan en los Estados Unidos libre de derechos, continuarán admitiéndose en los respectivos países libre de derechos.

#### ARTICULO II.

Mientras rija el presente Tratado todos los artículos ó mercancías á que no sea aplicable el precedente Artículo I y que sean productos del suelo ó de la industria de la República de Cuba, serán

States shall be admitted at a reduction of 7 per centum of the duty thereon as provided by the Tariff Act of the United States approved June 4, 1897, or as may be provided by any tariff law of the United States subsequently enacted.

### ARTICLE III.

During the term of this treaty, all articles of merchandise not included in the foregoing Article I and hereinafter enumerated, the product of the soil and industry of the United States, imported into the Republic of Cuba shall be admitted at a reduction of 7 per centum of the duty thereon as now provided in the Customs of said Republic of

### ARTICLE IV.

During the term of this treaty, the following articles of merchandise as enumerated and described in the existing Customs Tariff of the Republic of Cuba, the product of the soil and industry of the United States imported into Cuba shall be admitted at the following respective reductions of rates of duty thereon as provided or as may hereafter be provided in the Customs Tariff of the Republic of Cuba:—

#### *Schedule A.*

Shall be admitted at a reduction of twenty-five (25) per centum:  
Machinery and apparatus

admitidos á su importación en los Estados Unidos con una rebaja de VEINTE (20) por ciento de los derechos de Aduanas fijados en el Arancel de los Estados Unidos, aprobado en Junio 24 de 1897, ó los que se fijen en cualquier Arancel que se promulgue en los Estados Unidos.

### ARTICULO III.

Mientras rija el presente Tratado todos los artículos ó mercancías á que no sea aplicable el precedente Artículo I y respecto de los cuales no se haga mas adelante mención especial y que sean productos del suelo ó de la industria de los Estados Unidos, serán admitidos á su importación en la República de Cuba, con una rebaja de VEINTE (20) por ciento sobre los derechos fijados en el actual Arancel ó en cualquier otro que se promulgue en la República de Cuba.

### ARTICULO IV.

Mientras rija el presente Tratado, los siguientes artículos ó mercancías, según los menciona y describe el actual Arancel de Aduanas de la República de Cuba, que sean productos del suelo ó de la industria de los Estados Unidos, serán admitidos á su importación en Cuba con las siguientes respectivas rebajas de los derechos que hoy rigen, ó en lo sucesivo se fijen en los Aranceles de Aduanas de la República de Cuba.

#### *Class "A."*

Serán admitidos con una rebaja del VEINTE Y CINCO (25) por ciento:  
Máquinas y aparatos

of copper or its alloys or machines and apparatus in which copper or its alloys enter as the component of chief value; cast iron, wrought iron and steel, and manufactures thereof; articles of crystal and glass, except window glass; ships and water borne vessels of all kinds, of iron or steel; whiskies and brandies; fish, salted, pickled, smoked or marinated; fish or shellfish, preserved in oil or otherwise in tins; articles of pottery or earthenware now classified under Paragraphs 21 and 22 of the Customs Tariff of the Republic of Cuba.

#### *Schedule B.*

To be admitted at a reduction of thirty (30) per centum:

Butter; flour of wheat; corn; flour of corn or corn meal; chemical and pharmaceutical products and simple drugs; malt liquors in bottles; non-alcoholic beverages; cider; mineral waters; colors and dyes; window glass; complete or partly made up articles of hemp, flax, pita, jute, henequen, ramie, and other vegetable fibers now classified under the paragraphs of Group 2, Class V, of the Customs Tariff of the Republic of Cuba; musical instruments; writing and printing paper, except for newspapers; cotton and manufactures thereof, except knitted goods (see Schedule C); all articles of cutlery; boots, shoes and slippers, now classified under Paragraphs 197 and 198 of the Customs Tariff of the Republic of Cuba; gold and

cobre y sus aleaciones; ó máquinas y aparatos, en que el cobre ó sus aleaciones entren como componente de mayor valor; hierro fundido y forjado y el acero y artículos manufacturados con estos metales; artículos de cristal y vidrio, exceptuando vidrio para ventanas; buques y vehículos de todas clases para trasportes por agua, siempre que sean de hierro ó acero; aguardiente (whiskies) y brandies; pescado salado, en salmuera, ahumado, ó escabechado; pescados y mariscos conservados en aceite ó cualquier otra forma, en latas; manufacturas de alfarería y barro comprendidas en las Partidas 21 y 22 del actual Arancel de la República de Cuba.

#### *Clase "B."*

Se admitirán con una rebaja del TREINTA (30) por ciento:

Mantequilla; Harina de trigo; maíz; harina de maíz ó maíz molido; productos químicos, farmacéuticos y drogas simples; cerveza en botellas; bebidas no alcohólicas; sidras; aguas minerales; colores y tintes; vidrio para ventanas; artículos confeccionados, total ó parcialmente, con cáñamo, lino, pita, yute, henequen, ramie ó otras fibras vegetales, siempre que estén comprendidas en el Grupo II, Clase V, del actual Arancel de la República de Cuba; instrumentos para música; papel, para escribir é imprimir, excepto el que se destine para la impresión de periódicos; algodón y sus manufacturas, los tejidos conocidos por "punto de media" (véase Clase "C"). Cuchillería; botas, zapatos, chinelas, comprendidas en las Partidas 197



silver plated ware; drawings, photographs, engravings, lithographs, cromolithographs, oleographs, etc., printed from stone, zinc, aluminium, or other material, used as labels, flaps, bands and wrappers for tobacco or other purposes, and all the other papers (except paper for cigarettes, and excepting maps and charts), pasteboard and manufactures thereof, now classified under Paragraphs 157 to 164 inclusive of the Customs Tariff of the Republic of Cuba; common or ordinary soaps, now classified under Paragraph 105, letters "A" and "B", of the Customs Tariff of the Republic of Cuba; vegetables, pickled or preserved in any manner; all wines, except those now classified under Paragraph 279 (a) of the Customs Tariff of the Republic of Cuba.

### *Schedule C.*

To be admitted at a reduction of forty (40) per centum:

Manufactures of cotton, knitted, and all manufactures of cotton not included in the preceding schedules; cheese; fruits, preserved; paper pulp; perfumery and essences; articles of pottery and earthenware now classified under Paragraph 20 of the Customs Tariff of the Republic of Cuba; porcelain; soaps, other than common, now classified under Paragraph 105 of the Customs Tariff of the Republic of Cuba; umbrellas and parasols; dextrine and glucose; watches; wool and manufactures thereof; silk and manufactures thereof; rice, cat-

y 198 del Arancel vigente hoy en la República de Cuba; artículos dorados y plateados; dibujos, fotografías, grabados, litografías, cromolitografías, oleografías, impresas en piedra, zinc, aluminio, ú otro material y que se usen como etiquetas, bofetones, bandas, y envolturas para tabaco ú otros objetos, y todos los demás papeles, cartones y sus manufacturas, clasificadas en las Partidas 157 á 164 del Arancel vigente hoy en la República de Cuba, con excepción del papel para cigarros, los mapas y cartas; jabones comunes ú ordinarios clasificados en la Partida 105, letras "A" y "B" del Arancel de Aduanas vigente hoy en la República de Cuba; vegetales y legumbres, encurtidos ó conservados, en cualquier forma; vinos, exceptuando los clasificados en la Partida 279 "A" del Arancel de Aduanas vigente hoy en la República de Cuba.

### *Clase "C."*

Se admitirán con una rebaja del CUARENTA (40) por ciento:

Tejidos de punto de media hechos de algodón, y todas las manufacturas de algodón no comprendidas en las clases anteriores; queso; frutas en conserva; pasta para papel; perfumería y esencias; artículos de alfarería y barro, clasificados en la Partida 20 del Arancel de Aduanas vigente hoy en la República de Cuba; porcelana; jabones finos; sombrillas y paraguas; dextrina y glucosa; relojes de bolsillo; lana y sus manufacturas; seda y sus manufacturas; arroz. ganado.

## ARTICLE V.

It is understood and agreed that the laws and regulations adopted, or that may be adopted, by the United States and by the Republic of Cuba, to protect their revenues and prevent fraud in the declarations and proofs that the articles of merchandise to which this convention may apply are the product or manufacture of the United States and the Republic of Cuba, respectively, shall not impose any additional charge or fees therefor on the articles imported, excepting the consular fees established, or which may be established, by either of the two countries for issuing shipping documents, which fees shall not be higher than those charged on the shipments of similar merchandise from any other nation whatsoever.

## ARTICLE VI.

It is agreed that the tobacco, in any form, of the United States or of any of its insular possessions, shall not enjoy the benefit of any concession or rebate of duty when imported into the Republic of Cuba.

## ARTICLE VII.

It is agreed that similar articles of both countries shall receive equal treatment on their importation into the ports of the United States and of the Republic of Cuba, respectively.

## ARTICLE VIII.

The rates of duty herein granted by the United States

## ARTÍCULO V.

Deberá entenderse y se conviene que en las Leyes y disposiciones adoptadas ó que se adopten por los Estados Unidos y por la República de Cuba, con el propósito de proteger sus derechos de Aduana, y de impedir el fraude en las declaraciones y justificaciones referentes á que las mercancías á que este Tratado sea aplicable son productos ó manufacturas de los Estados Unidos y de la República de Cuba, respectivamente, no se impondrá un aumento de gastos por virtud de recargos de ninguna clase sobre los artículos importados, salvo los derechos consulares establecidos ó que se establezcan por cualquiera de los dos países contratantes para el despacho de los documentos de embarque, los cuales derechos nunca serán mayores que los que se cobren por embarques de mercancías similares de cual quiera otra procedencia.

## ARTÍCULO VI.

Queda convenido que el tabaco de los Estados Unidos ó de sus posesiones insulares, en cualquiera de sus formas, no disfrutará de concesión ó ventaja alguna á su importación en la República de Cuba.

## ARTÍCULO VII.

Queda convenido que los artículos similares de ambos países recibirán igual trato á su importación en los puertos de los Estados Unidos y de la República de Cuba, respectivamente.

## ARTÍCULO VIII.

Mientras rija el presente Tratado los tipos de adeudo

to the Republic of Cuba are and shall continue during the term of this convention preferential in respect to all like imports from other countries, and, in return for said preferential rates of duty granted to the Republic of Cuba by the United States, it is agreed that the concession herein granted on the part of the said Republic of Cuba to the products of the United States shall likewise be, and shall continue, during the term of this convention, preferential in respect to all like imports from other countries. Provided, That while this convention is in force, no sugar imported from the Republic of Cuba, and being the product of the soil or industry of the Republic of Cuba, shall be admitted into the United States at a reduction of duty greater than twenty per centum of the rates of duty thereon as provided by the tariff act of the United States approved July 24, 1897, and no sugar, the product of any other foreign country, shall be admitted by treaty or convention into the United States, while this convention is in force, at a lower rate of duty than that provided by the tariff act of the United States approved July 24, 1897.

#### ARTICLE IX.

In order to maintain the mutual advantages granted in the present convention by the United States to the Republic of Cuba and by the Republic of Cuba to the United States, it is understood and agreed that any

que resultan para las importaciones de la República de Cuba en los Estados Unidos por virtud de las rebajas que se estipulan en este Tratado, son, y continuarán siendo, preferenciales respecto de los artículos y mercancías similares de otros países; y en compensación de dichos derechos preferenciales concedidos á la República de Cuba por los Estados Unidos, queda convenido que las concesiones hechas por parte de la República de Cuba á los productos de los Estados Unidos también son, y continuarán siendo preferenciales, respecto de los productos similares de otros países, entendiéndose que—mientras esté en vigor esta Convención—ningún azúcar importado de la República de Cuba y que fuere producto del suelo ó industria de la República de Cuba, será admitido en los Estados Unidos con reducción de derechos mayor del 20% de los que para el mismo fija la Ley de Aranceles de los Estados Unidos aprobada en 24 de Julio de 1897, y—mientras esté en vigor ésta Convención—ningún azúcar que fuese producto de cualquier otro país extranjero será admitido por tratado ó convención en los Estados Unidos con derechos inferiores á los que dispone la Ley de Aranceles de los Estados Unidos aprobada en 24 de Julio de 1897.

#### ARTICULO IX.

A fin de mantener las mútuas ventajas concedidas en el presente Tratado por los Estados Unidos á la República de Cuba, y por la República de Cuba á los Estados Unidos, se conviene que cualquier contribución

tax or charge that may be imposed by the national or local authorities of either of the two countries upon the articles of merchandise embraced in the provisions of this convention, subsequent to importation and prior to their entering into consumption in the respective countries, shall be imposed and collected without discrimination upon like articles whencesoever imported.

#### ARTICLE X.

It is hereby understood and agreed that in case of changes in the tariff of either country which deprive the other of the advantage which is represented by the percentages herein agreed upon, on the actual rates of the tariffs now in force, the country so deprived of this protection reserves the right to terminate its obligations under this convention after six months' notice to the other of its intention to arrest the operations thereof.

And it is further understood and agreed that if, at any time during the term of this convention, after the expiration of the first year, the protection herein granted to the products and manufactures of the United States on the basis of the actual rates of the tariff of the Republic of Cuba now in force, should appear to the government of the said Republic to be excessive in view of a new tariff law that may be adopted by it after this convention becomes operative, then the said Republic of Cuba may reopen negotiations with a view to se-

ó derecho que pudiera ser impuesto por las Autoridades nacionales ó locales, de cualquiera de los dos países, á las mercancías comprendidas en las estipulaciones de este Tratado después que sean importadas en, y antes de pasar al consumo, de cualquiera de los respectivos países, serán impuestos y recaudados sin diferencia alguna respecto de los artículos similares de otros países.

#### ARTICULO X.

Queda convenido que si por modificaciones que se introduzcan en los Aranceles de cualquiera de las dos naciones contratantes, queda la otra privada de la ventaja representada por los tantos por cientos convenidos, sobre los tipos de adeudo de los Aranceles hoy vigentes, la nación que resulte privada de dicha ventaja, se reserva el derecho de dar por canceladas las obligaciones que contrae con arreglo á este Tratado, á los seis (6) meses de haber notificado á la otra su propósito de darlo por anulado.

Y así mismo, ha de entenderse y por el presente se conviene, que si en cualquier tiempo, mientras rija el presente Tratado, siempre que haya transcurrido un (1) año de estar en vigor, la protección que se concede á los productos y mercancías de los Estados Unidos, basada en los actuales tipos de adeudo del Arancel hoy vigente en la República de Cuba, resultase excesiva, á juicio del Gobierno de la República de Cuba, por haberse adoptado en ésta un nuevo Arancel, después de estar en vigor este Tratado, la expresada República de Cuba podrá ini-

ing such modifications as appear proper to both contracting parties.

ciar negociaciones, con el propósito de que se hagan aquellas modificaciones que se estimen justas y equitativas por ambas partes contratantes.

ARTICLE XI.

ARTICULO XI.

The present convention be ratified by the appropriate authorities of the respective countries, and the ratifications shall be exchanged at Washington, District of Columbia, United States of America, as soon as may be before the thirty-day of January, 1903, the convention shall go into effect on the tenth day after the exchange of ratifications, and shall continue in force for the term of five years from date of going into effect, and from year to year thereafter until the expiration of one year from the day when either of the contracting parties shall give notice to the other of its intention to terminate the same.

El presente Tratado será ratificado por las autoridades competentes de los respectivos países, y las ratificaciones serán canjeadas en Washington, Distrito de Columbia, Estados Unidos de América, tan pronto como sea posible, antes del treinta y uno de Enero de mil novecientos tres; empezando á regir el décimo día después del canje de las ratificaciones, y continuará vigente por el término de CINCO (5) años á contar desde el día que empiece á regir, y después de año en año hasta que una de las partes contratantes notifique á la otra su propósito de darlo por terminado; en este caso el Tratado sólo estará vigente hasta que haya transcurrido un año desde la fecha de dicha notificación.

This convention shall not be in effect until the same has been approved by Congress.

Esta Convención no empezará á regir hasta que no haya sido aprobada por el Congreso.

In witness whereof we, the respective Plenipotentiaries have signed the same in duplicate, in English and Spanish, and have affixed their respective seals, at Havana, Cuba, this eleventh day of December, in the year one thousand nine hundred and two.

En fé de lo cual los respectivos Plenipotenciarios lo firman y sellan por duplicado, en Español y en Inglés, en la Habana, Cuba, el día Once de Diciembre de mil novecientos dos.

TASKER H. BLISS [SEAL.]  
CARLOS DE ZALDO [SEAL.]  
JOSÉ M. GARCIA MONTES [SEAL.]

TASKER C. BLISS [SEAL]  
CARLOS DE ZALDO [SEAL]  
JOSÉ M. GARCIA MONTES [SEAL]

And whereas by the terms of the said Convention it is provided that the ratifications thereof should be exchanged at the City of Washington as soon as may be before the thirty-first day of January, 1903, which period was by a Supplementary Convention signed by the respective plenipotentiaries of the two countries on January 26, 1903, extended to the thirty-first day of March, 1903;

And whereas the said Convention of December 11, 1902, as amended by the Senate of the United States, and the said Supplementary Convention of January 26, 1903, have been duly ratified on both parts and the ratifications of the two Governments were exchanged in the City of Washington on the thirty-first day of March, 1903;

And whereas by its resolution of March 19, 1903, the Senate of the United States added at the end of Article XI of the said Convention of December 11, 1902, the following amendment:

“This Convention shall not take effect until the same shall have been approved by the Congress”;

And whereas the Congress gave its approval to the said Convention by an Act approved December 17, 1903, entitled “An Act To carry into effect a convention between the United States and the Republic of Cuba, signed on the eleventh day of December, in the year nineteen hundred and two”, which Act is word for word as follows:

“Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the President of the United States shall receive satisfactory evidence that the Republic of Cuba has made provision to give full effect to the Articles of the convention between the United States and the Republic of Cuba, signed on the eleventh day of December, in the year nineteen hundred and two, he is hereby authorized to issue his proclamation declaring that he has received such evidence, and thereupon on the tenth day after exchange of ratifications of such convention between the United States and the Republic of Cuba, and so long as the said convention shall remain in force, all articles of merchandise being the product of the soil or industry of the Republic of Cuba, which are now imported into the United States free of duty, shall continue to be so admitted free of duty, and all other articles of merchandise being the product of the soil or industry of the Republic of Cuba imported into the United States shall be admitted at a reduction of twenty per centum of the rates of duty thereon, as provided by the tariff Act of the United States, approved July twenty-fourth, eighteen hundred and ninety-seven, or as may be provided by any tariff law of the United States subsequently enacted. The rates of duty herein granted by the United States to the Republic of Cuba are and shall continue during the term of said convention preferential in respect to all like imports from other countries: *Provided*, That while said convention is in force no sugar imported from the Republic of Cuba, and being the product of the soil or industry of the Repub-



lic of Cuba, shall be admitted into the United States at a reduction of duty greater than twenty per centum of the rates of duty thereon, as provided by the tariff Act of the United States, approved July twenty-fourth, eighteen hundred and ninety-seven, and no sugar the product of any other foreign country shall be admitted by treaty or convention into the United States while this convention is in force at a lower rate of duty than that provided by the tariff Act of the United States approved July twenty-fourth, eighteen hundred and ninety-seven: *And provided further*, That nothing herein contained shall be held or construed as an admission on the part of the House of Representatives that customs duties can be changed otherwise than by an Act of Congress, originating in said House.

“SEC. 2. That so long as said convention shall remain in force, the laws and regulations adopted, or that may be adopted by the United States to protect the revenues and prevent fraud in the declarations and proofs, that the articles of merchandise to which said convention may apply are the product or manufacture of the Republic of Cuba, shall not impose any additional charge or fees therefor on the articles imported, excepting the consular fees established, or which may be established, by the United States for issuing shipping documents, which fees shall not be higher than those charged on the shipments of similar merchandise from any other nation whatsoever; that articles of the Republic of Cuba shall receive, on their importation into the ports of the United States, treatment equal to that which similar articles of the United States shall receive on their importation into the ports of the Republic of Cuba; that any tax or charge that may be imposed by the national or local authorities of the United States upon the articles of merchandise of the Republic of Cuba, embraced in the provisions of said convention, subsequent to importation and prior to their entering into consumption into the United States, shall be imposed and collected without discrimination upon like articles whencesoever imported.”

And whereas satisfactory evidence has been received by the President of the United States that the Republic of Cuba has made provision to give full effect to the articles of the said convention;

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, in conformity with the said Act of Congress, do hereby declare and proclaim the said Convention, as amended by the Senate of the United States, to be in effect on the tenth day from the date of this my proclamation.

Wherefore I have caused the said Convention, as amended by the Senate of the United States, to be made public to the end that the same and every clause thereof, as amended, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and

caused the Seal of the United States of America to be affixed.

Done at the City of Washington, this 17th day of December in the year of our Lord one thousand [SEAL] nine hundred and three and of the Independence of the United States the one hundred and twenty-eighth.

THEODORE ROOSEVELT

By the President:

JOHN HAY

*Secretary of State.*

The Secretary of State is officially advised by a note from the Minister of Cuba at Washington, dated December 18, 1903, that by proclamation of the President of Cuba on December 17, 1903, the reciprocal commercial convention between the United States and Cuba, signed December 11, 1902, is to go into effect in Cuba on the same day as in the United States.

DEPARTMENT OF STATE,  
*Washington, December 23, 1903.*

July 2, 1903.

*Lease to the United States by the Government of Cuba of certain areas of land and water for naval or coaling stations in Guantanamo and Bahia Honda.*

*Signed at Habana July 2, 1903; approved by the President October 2, 1903; ratified by the President of Cuba August 17, 1903; ratifications exchanged at Washington October 6, 1903.*

The United States of America and the Republic of Cuba, being desirous to conclude the conditions of the lease of areas of land and water for the establishment of naval or coaling stations in Guantanamo and Bahia Honda the Republic of Cuba made to the United States by the Agreement of February 16/23, 1903, in fulfillment of the provisions of Article Seven of the Constitutional Appendix of the Republic of Cuba, have appointed their Plenipotentiaries to that end.—

The President of the United States of America, HERBERT G. SQUIERS, Envoy Extraordinary and Minister Plenipotentiary in Havana, And the President of the

Deseando los Estados Unidos de América y la República de Cuba dejar determinadas las condiciones del arrendamiento de las áreas de terreno y agua que, para el establecimiento de Estaciones Navales ó Carboneras, en Guantánamo y Bahía Honda, hizo la República de Cuba á los Estados Unidos, por el Convenio de 16/23 de Febrero de 1903 llevado á cabo en cumplimiento de lo preceptuado en el Artículo 7 del Apéndice Constitucional de la República de Cuba, han nombrado con ese objeto sus Plenipotenciarios:

El Presidente de los Estados Unidos de América á HERBERT G. SQUIERS, Enviado Extraordinario y Min-

blic of Cuba, JOSÉ M. LA MONTES, Secretary of State and Justice, after communicating to each other their respective powers, found to be in conformity, have agreed upon the following Articles;—

#### ARTICLE I

The United States of America agrees and covenants to pay to the Republic of Cuba the annual sum of one thousand dollars, in gold of the United States, as long as the former shall occupy and use said areas of land by virtue of said agreement.

Private lands and other property within said areas shall be acquired forthwith by the Republic of Cuba.

The United States of America agrees to furnish the Republic of Cuba the amount necessary for the purchase of said private lands and properties and such purchase shall be accepted by the Republic of Cuba as adequate payment on account of the rental due by virtue of the Agreement.

#### ARTICLE II

The said areas shall be surveyed and their boundaries distinctly marked by permanent fences or inclosures.

The expenses of construction and maintenance of such fences or inclosures shall be borne by the United States.

Ministro Plenipotenciario en la Habana,

Y el Presidente de la República de Cuba á JOSÉ M. GARCÍA MONTES, Secretario de Hacienda é interino de Estado y Justicia, quienes, previo el cange de sus respectivos plenos poderes, que encontraron estar en debida forma, han convenido en los siguientes Artículos:

#### ARTÍCULO I.

Los Estados Unidos de América acuerdan y estipulan pagar á la República de Cuba la suma anual de dos mil pesos en monedas de oro de los Estados Unidos, durante todo el tiempo que éstos ocuparen y usaren dichas áreas de terreno en virtud del mencionado Convenio.

Todos los terrenos de propiedad particular y otros bienes inmuebles comprendidos en dichas áreas serán adquiridos sin demora por la República de Cuba. Los Estados Unidos de América convienen en suministrar á la República de Cuba las cantidades necesarias para la compra de dichos terrenos y bienes de propiedad particular, y la República de Cuba aceptará dichas cantidades como pago adelantado á cuenta de la renta debida en virtud de dicho Convenio.

#### ARTÍCULO II.

Dichas áreas serán deslindeadas y sus linderos marcados con precisión por medio de cercas ó vallados permanentes. Los gastos de construcción y conservación de estas cercas ó vallados serán sufragados por los Estados Unidos.

## ARTICLE III

The United States of America agrees that no person, partnership, or corporation shall be permitted to establish or maintain a commercial, industrial or other enterprise within said areas.

## ARTICLE IV

Fugitives from justice charged with crimes or misdemeanors amenable to Cuban law, taking refuge within said areas, shall be delivered up by the United States authorities on demand by duly authorized Cuban authorities.

On the other hand the Republic of Cuba agrees that fugitives from justice charged with crimes or misdemeanors amenable to United States law, committed within said areas, taking refuge in Cuban territory, shall on demand, be delivered up to duly authorized United States authorities.

## ARTICLE V.

Materials of all kinds, merchandise, stores and munitions of war imported into said areas for exclusive use and consumption therein, shall not be subject to payment of customs duties nor any other fees or charges and the vessels which may carry same shall not be subject to payment of port, tonnage, anchorage or other fees, except in case said vessels shall be discharged without the limits of said areas; and said ves-

## ARTÍCULO III.

Los Estados Unidos de América convienen en que no se permitirá á persona, sociedad ó asociación alguna establecer ó ejercer empresas comerciales, industriales ó de otra clase dentro de dichas áreas.

## ARTÍCULO IV.

Los delinquentes prófugos de la justicia acusados de delitos ó faltas sujetos á la jurisdicción de las Leyes Cubanas y que se refugiaren dentro de dichas áreas, serán entregados por las Autoridades de los Estados Unidos cuando lo pidieren Autoridades Cubanas debidamente autorizadas. Por otra parte, la República de Cuba conviene en que los prófugos de la justicia acusados de delitos ó faltas sujetos á la jurisdicción de las leyes de los Estados Unidos cometidos dentro de dichas áreas y que se refugiaren en territorio Cubano serán, cuando se le pida, entregados á las Autoridades de los Estados Unidos debidamente autorizadas.

## ARTÍCULO V.

Los materiales de todas clases, mercancías, pertrechos y municiones de guerra importados en dichas áreas, para uso y consumo exclusivo de las mismas, no estarán sujetos al pago de derechos arancelarios ni á ningún otro derecho ó carga, y los buques que los condujeren no estarán sujetos al pago de derechos de puerto, tonelaje, anclaje ni á cualquier otro, salvo cuando dichos buques se descargaren fuera de los límites de las referidas

shall not be discharged out the limits of said otherwise than through regular port of entry of Republic of Cuba when cargo and vessel shall be subject to all Cuban Customs laws and regulations payment of correspondents and fees.

It is further agreed that materials, merchandise and munitions shall not be transported from said areas into Cuban territory.

#### ARTICLE VI.

Except as provided in the preceding Article vessels entering into or departing from ports of Guantanamo and Bahía Honda within the limits of Cuban territory shall be subject exclusively to Cuban laws and authorities and orders emanating from the latter in all that respects port police, Customs or Health, and authorities of the United States shall place no obstacle in the way of entrance and departure of said vessels except in case of a state of war.

#### ARTICLE VII

This lease shall be ratified and ratifications shall be deposited in the City of Washington within seven days from this date.

In witness whereof, We, the respective Plenipotentiaries, have signed this Treaty and hereunto affixed our seals.

Done at Havana, in dupli-

cate areas; y dichos buques no serán descargados fuera de los límites de las referidas áreas á menos que no sea por un puerto habilitado de la República de Cuba, y en este caso tanto el cargamento como el buque estarán sujetos á todas las leyes y reglamentos de Aduana Cubanos y al pago de los derechos correspondientes.

Se acuerda, además, que esos materiales, mercancías, pertrechos y municiones de guerra no podrán ser transportados de dichas áreas á territorio Cubano.

#### ARTÍCULO VI.

Con excepción de lo dispuesto en el artículo anterior, los buques que entren ó salgan de las Bahías de Guantánamo y Bahía Honda, dentro de los límites del territorio Cubano estarán exclusivamente sujetos á las Leyes y Autoridades Cubanas, y á las disposiciones emanadas de éstas en todo lo concerniente á la Policía de Puerto, á las Aduanas y á la Sanidad, y las autoridades de los Estados Unidos no opondrán ningún obstáculo á la entrada y salida de dichos buques, excepto en el caso de un estado de guerra.

#### ARTÍCULO VII.

Este arrendamiento será ratificado y las ratificaciones serán canjeadas en la Ciudad de Washington, dentro de siete meses despues de la fecha.

En testimonio de lo cual, Nosotros, los respectivos Plenipotenciarios, hemos firmado este arrendamiento y estampado en el presente nuestros sellos.

Hecho en la Habana, por

cate in English and Spanish      duplicado, en inglés y en cas-  
this second day of July nine-      tellano, hoy día dos de Julio  
teen hundred and three.      de mil novecientos tres.

[SEAL]  
[SEAL]

II. G. SQUIERS.  
JOSÉ M. GARCÍA MONTES

I, THEODORE ROOSEVELT, President of the United States of America, having seen and considered the foregoing lease, do hereby approve the same, by virtue of the authority conferred by the seventh of the provisions defining the relations which are to exist between the United States and Cuba, contained in the Act of Congress approved March 2, 1901, entitled "An Act making appropriation for the support of the Army for the fiscal year ending June 30, 1902."

THEODORE ROOSEVELT.

WASHINGTON, *October 2, 1903.*

PROCLAMATIONS BY THE PRESIDENT OF THE UNITED STATES.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

No. 6.  
April 22, 1898.  
30 Stats. L., p.  
1769.  
Preamble.

Whereas, by a joint resolution passed by the Congress and approved April 20, 1898, and communicated to the Government of Spain, it was demanded that said Government at once relinquish its authority and Government in the Island of Cuba, and withdraw its land and Naval forces from Cuba and Cuban waters; and the President of the United States was directed and empowered to use the entire land and Naval forces of the United States, and to call into the actual service of the United States the militia of the several States to such extent as might be necessary to carry said resolution into effect; and

Cuba:  
Institution of  
blockade pro-  
claimed.

Whereas, in carrying into effect said resolution, the President of the United States deems it necessary to set on foot and maintain a blockade of the North coast of Cuba, including all ports on said coast between Cardenas and Bahia Honda and the port of Cienfuegos on the South coast of Cuba:

Neutral ves-  
sels.

Now, therefore, I, William McKinley, President of the United States, in order to enforce the said resolution, do hereby declare and proclaim that the United States of America have instituted, and will maintain a blockade of the North coast of Cuba, including ports on said coast between Cardenas and Bahia Honda and the port of Cienfuegos on the South coast of Cuba, aforesaid, in pursuance of the laws of the United States and the law of nations applicable to such cases. An efficient force will be posted so as to prevent the entrance and exit of vessels from the ports aforesaid. Any neutral vessel approaching any of said ports, or attempting to leave the same, without no-



tice or knowledge of the establishment of such blockade, will be duly warned by the Commander of the blockading forces, who will endorse on her register the fact, and the date, of such warning, where such endorsement was made; and if the same vessel shall again attempt to enter any blockaded port, she will be captured and sent to the nearest convenient port for such proceedings against her and her cargo as prize, as may be deemed advisable.

Neutral vessels lying in any of said ports at the time of the establishment of such blockade will be allowed thirty days to issue therefrom.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this 22d day of April, A. D. 1898; and of the Independence of the [SEAL.] United States, the one hundred and twenty-second.

WILLIAM' MCKINLEY

By the President.

JOHN SHERMAN

*Secretary of State*

BY THE PRESIDENT OF THE UNITED STATES,

A PROCLAMATION.

No. 7.  
April 23, 1898.

30 Stats. L., p.  
1770.

Whereas a joint resolution of Congress was approved on the twentieth day of April, 1898, entitled "Joint Resolution For the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the Island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect," and

Preamble.

Whereas, by an act of Congress entitled "An Act to provide for temporarily Increasing the Military Establishment of the United States in time of war and for other purposes," approved April 22, 1898; the President is authorized, in order to raise a volunteer army, to issue his proclamation calling for volunteers to serve in the Army of the United States:

Now, therefore, I, William McKinley, President of the United States, by virtue of the power vested in me by the Constitution and the laws, and deeming sufficient occasion to exist, have thought fit to call forth and hereby do call forth, volunteers to the aggregate number of 125,000, in order to carry into effect the purpose of the said Resolution; the same to be apportioned, as far as practicable, among the several States and Territories and the District of Columbia, according to population, and to serve for two years, unless sooner discharged. The details for this object will be immediately communicated to the proper authorities through the War Department.

War with  
Spain.

Call for vol-  
unteers.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this twenty-third day of April, A. D., 1898, and of the Independence  
[SEAL.] of the United States the one-hundred and twenty-second.

WILLIAM MCKINLEY

By the President:

JOHN SHERMAN

*Secretary of State*

No. 8.  
April 26, 1898.  
30 Stats. L., p.  
1770.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

### A PROCLAMATION.

#### Preamble.

Whereas by an Act of Congress approved April 25, 1898, it is declared that war exists and that war has existed since the 21st day of April, A. D. 1898, including said day, between the United States of America and the Kingdom of Spain; and

Whereas, it being desirable that such war should be conducted upon principles in harmony with the present views of nations and sanctioned by their recent practice, it has already been announced that the policy of this Government will be not to resort to privateering, but to adhere to the rules of the Declaration of Paris;

War with Spain.  
Adherence to certain principles proclaimed.

Now, Therefore, I, William McKinley, President of the United States of America by virtue of the power vested in me by the Constitution and the laws, do hereby declare and proclaim:

#### Neutral flag.

1. The neutral flag covers enemy's goods, with the exception of contraband of war.

#### Neutral goods.

2. Neutral goods, not contraband of war, are not liable to confiscation under the enemy's flag.

#### Blockades.

3. Blockades in order to be binding must be effective.

Spanish merchant vessels.—departure from United States ports.

4. Spanish merchant vessels, in any ports or places within the United States, shall be allowed till May 21, 1898, inclusive, for loading their cargoes and departing from such ports or places; and such Spanish merchant vessels, if met at sea by any United States ship, shall be permitted to continue their voyage, if, on examination of their papers, it shall appear that their cargoes were taken on board before the expiration of the above term; Provided, that nothing herein contained shall apply to Spanish vessels having on board any officer in the military or naval service of the enemy, or any coal (except such as may be necessary for their voyage), or any other article prohibited or contraband of war, or any despatch of or to the Spanish Government.

#### —arrival at.

5. Any Spanish merchant vessel which, prior to April 21, 1898, shall have sailed from any foreign port bound for any port or place in the United States, shall be permitted to enter such port or place, and to discharge her cargo, and afterward forthwith to depart without molestation; and any such vessel, if met at sea by any United States ship, shall be permitted to continue her voyage to any port not blockaded.

6. The right of search is to be exercised with strict regard for the rights of neutrals, and the voyages of mail steamers are not to be interfered with except on the clearest grounds of suspicion of a violation of law in respect of contraband or blockade. Right of search.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, on the twenty-sixth day of April, in the year of our Lord one thousand eight hundred and ninety-eight, and of the Independence of the United States the one hundred and twenty-second.

[SEAL.]

WILLIAM MCKINLEY

By the President.

ALVEY A. ADEE

*Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES,

### A PROCLAMATION.

Whereas an Act of Congress was approved on the twenty-fifth day of April, 1898, entitled "An Act Declaring that war exists between the United States of America and the Kingdom of Spain", and

Whereas, by an Act of Congress entitled "An Act to provide for temporarily increasing the Military Establishment of the United States in time of war and for other purposes", approved April 22, 1898; the President is authorized, in order to raise a volunteer army, to issue his proclamation calling for volunteers to serve in the Army of the United States:

Now, Therefore, I, William McKinley, President of the United States, by virtue of the power vested in me by the Constitution and the laws, and deeming sufficient occasion to exist, have thought fit to call forth and hereby do call forth, volunteers to the aggregate number of 75,000 in addition to the volunteers called forth by my proclamation of the twenty-third of April, in the present year; the same to be apportioned, as far as practicable, among the several States and Territories and the District of Columbia, according to population, and to serve for two years, unless sooner discharged. The proportion of each arm and the details of enlistment and organization will be made known through the War Department.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this twenty-fifth day of May, in the year of our Lord one thousand eight hundred and ninety-eight, and of the Independence of the United States the one hundred and twenty-second.

[SEAL.]

WILLIAM MCKINLEY

By the President:

WILLIAM R. DAY,

*Secretary of State.*

No. 10.  
May 25, 1898.

30 Stats. L., p.  
1772.  
War with  
Spain.  
Preamble.

Second call  
for volunteers.

No. 13.  
June 27, 1898. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.  
30 Stats. L., p.  
1776.

## A PROCLAMATION.

Preamble.

Whereas, for the reasons set forth in my Proclamation of April 22, 1898, a blockade of the ports on the northern coast of Cuba, from Cardenas to Bahia Honda, inclusive, and of the port of Cienfuegos, on the south coast of Cuba, was declared to have been instituted; and

Whereas, it has become desirable to extend the blockade to other Spanish ports:

Cuba.  
Extension  
of  
blockade.

Now therefore, I, William McKinley, President of the United States, do hereby declare and proclaim that, in addition to the blockade of the ports specified in my Proclamation of April 22, 1898, the United States of America has instituted and will maintain an effective blockade of all the ports on the south coast of Cuba, from Cape Frances to Cape Cruz, inclusive, and also of the port of San Juan, in the island of Porto Rico.

Neutral ves-  
sels.

Neutral vessels lying in any of the ports to which the blockade is by the present Proclamation extended, will be allowed thirty days to issue therefrom, with cargo.

In witness whereof, I have hereunto set my hand, and caused the Seal of the United States to be affixed.

Done at the City of Washington, this twenty-seventh day of June, A. D., 1898, and of the Independence of the United States the one hundred and twenty-second.

WILLIAM MCKINLEY

By the President:

J. B. MOORE,

*Acting Secretary of State.*

No. 17.  
August 12, 1898. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.  
30 Stats. L., p.  
1780.

## A PROCLAMATION.

War with  
Spain.  
Preamble.

Whereas, by a protocol concluded and signed August 12th, 1898, by William R. Day, Secretary of State of the United States, and His Excellency Jules Cambon, Ambassador Extraordinary and Plenipotentiary of the Republic of France at Washington, respectively representing for this purpose the Government of the United States and the Government of Spain, the United States and Spain have formally agreed upon the terms on which negotiations for the establishment of peace between the two countries shall be undertaken, and

Whereas, it is in said protocol agreed that upon its conclusion and signature hostilities between the two countries shall be suspended, and that notice to that effect shall be given as soon as possible by each Government to the commanders of its military and naval forces:

Suspension of  
hostilities.

Now, therefore, I, William McKinley, President of the United States, do, in accordance with the stipulations of

the protocol, declare and proclaim on the part of the United States a suspension of hostilities, and do hereby command that orders be immediately given through the proper channels to the commanders of the military and naval forces of the United States to abstain from all acts inconsistent with this proclamation.

In witness thereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this 12th day of August, in the year of our Lord one thousand eight hundred and ninety-eight, and of the Independence  
[SEAL.] of the United States, the one hundred and twenty-third.

WILLIAM MCKINLEY.

By the President.

WILLIAM R. DAY

*Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES.

### A PROCLAMATION.

No. 21.  
October 28, 1898.

30 Stats. L., p.  
1786.

Preamble.

The approaching November brings to mind the custom of our ancestors, hallowed by time and rooted in our most sacred traditions, of giving thanks to Almighty God for all the blessings He has vouchsafed to us during the year.

Few years in our history have afforded such cause for thanksgiving as this. We have been blessed by abundant harvests, our trade and commerce have wonderfully increased, our public credit has been improved and strengthened, all sections of our common country have been brought together and knitted into closer bonds of national purpose and unity.

The skies have been for a time darkened by the cloud of war; but as we were compelled to take up the sword in the cause of humanity we are permitted to rejoice that the conflict has been of brief duration and the losses we have had to mourn, though grievous and important, have been so few, considering the great results accomplished, as to inspire us with gratitude and praise to the Lord of Hosts. We may laud and magnify His Holy Name that the cessation of hostilities came so soon as to spare both sides the countless sorrows and disasters that attend protracted war.

I do therefore invite all my fellow-citizens, as well those who may be at sea or sojourning in foreign lands as those at home, to set apart and observe Thursday, the twenty-fourth day of November, as a day of national thanksgiving, to come together in their several places of worship, for a service of praise and thanks to Almighty God for all the blessings of the year; for the mildness of the seasons and the fruitfulness of the soil, for the continued prosperity of the people, for the devotion and valor of our countrymen, for the glory of our victory and the hope of

November 24,  
1898, set apart  
as a day of na-  
tional thanks-  
giving.

a righteous peace, and to pray that the Divine guidance which has brought us heretofore to safety and honor may be graciously continued in the years to come.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this twenty-eighth day of October in the year of Our Lord one thousand eight hundred and ninety-eight and of the Independence of the United States the one hundred and twenty-third.

WILLIAM MCKINLEY

By the President:

JOHN HAY

*Secretary of State.*

No. 22.  
November 2,  
1898.

30 Stats. L., p.  
1786.

BY THE PRESIDENT OF THE UNITED STATES.

### A PROCLAMATION.

Preamble.  
Laws, 2d ses-  
sion 55th Con-  
gress, p. 750.

Whereas, by joint resolution "to provide for annexing the Hawaiian Islands to the United States," approved July 7, 1898, the cession by the government of the Republic of Hawaii to the United States of America, of all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and the transfer to the United States of the absolute fee and ownership of all public, government or crown lands, public buildings, or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the government of the Hawaiian Islands, was duly accepted, ratified, and confirmed, and the said Hawaiian Islands and their dependencies annexed as a part of the territory of the United States and made subject to the sovereign dominion thereof, and all and singular the property and rights hereinbefore mentioned vested in the United States of America; and

Whereas, it was further provided in said resolution that the existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands, but the Congress of the United States shall enact special laws for their management and disposition; and

Whereas, it is deemed necessary in the public interests that certain lots and plats of land in the City of Honolulu be immediately reserved for naval purposes;

Hawaiian Is-  
lands.  
Reservation  
of land for naval  
purposes, Hono-  
lulu.

Now, therefore, I, WILLIAM MCKINLEY, President of the United States, by virtue of the authority in me vested, do hereby declare, proclaim, and make known that the following-described lots or plats of land be and the same are hereby reserved for naval purposes until such time as the Congress of the United States shall otherwise direct, to wit:

1st. The water front lying between the Bishop Estate and the line of Richards Street including the site of prospective wharves, slips, and their approaches.



2nd. The blocks of land embracing lots No. 86 to 91, 100 to 131, including Mililani Street to the intersection of Halekauwali Street; and the Government water lots lying between the Bishop Estate and Punchbowl and Allen Streets.

In witness whereof I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the City of Washington, this second day of November, in the year one thousand eight hundred and ninety-eight, and of the Independence of the United States the one hundred and twenty-third.

WILLIAM MCKINLEY

By the President:

JOHN HAY  
*Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

No. 1.  
March 29, 1899.  
31 Stats. L., p.  
1947.

Whereas, it is deemed necessary in the public interests that certain lands lying to the eastward of the city of San Juan, in Puerto Rico, be immediately reserved for naval purposes; Puerto Rico.  
Reservation  
of land for naval  
purposes.

Now, therefore, I, William McKinley, President of the United States, by virtue of the authority in me vested, do hereby declare, proclaim, and make known that the following-described lands be and the same are hereby reserved for naval purposes until such time as the Congress of the United States shall otherwise direct, to wit:

1st. The public land, natural, reclaimed, partly reclaimed, or which may be reclaimed, lying south of the Caguas Road, shown on the U. S. Hydrographic Map No. 1745 of July, 1898, and for 250 feet north of said Caguas Road, to be bounded on the west by a true north and south line passing through the eastern corner of the railway station shown on said map, on the south by the shore of the harbor, and to extend east 2400 feet, more or less, to include 80 acres.

2nd. The entire island lying to the southward of the above described land, and described on the U. S. Hydrographic Map No. 1745, of July, 1898, as Isla Grande, or Manglar.

The Military Governor of the Island of Puerto Rico will make this transfer through the representative of the Navy, the Commandant of the United States Naval Station, San Juan, Puerto Rico, who will present this proclamation.

WILLIAM MCKINLEY

March 29 1899.

By the President:

JOHN HAY  
*Secretary of State.*

No. 7.  
October 25, 1899.

31 Stats. L., p.  
1858.

BY THE PRESIDENT OF THE UNITED STATES

### A PROCLAMATION:

Preamble.

A national custom dear to the hearts of the people calls for the setting apart of one day in each year as an occasion of special thanksgiving to Almighty God for the blessings of the preceding year. This honored observance acquires with time a tenderer significance. It enriches domestic life. It summons under the family roof the absent children to glad reunion with those they love.

Seldom has this Nation had greater cause for profound thanksgiving. No great pestilence has invaded our shores. Liberal employment waits upon labor. Abundant crops have rewarded the efforts of the husbandmen. Increased comforts have come to the home. The national finances have been strengthened, and public credit has been sustained and made firmer. In all branches of industry and trade there has been an unequalled degree of prosperity, while there has been a steady gain in the moral and educational growth of our national character. Churches and schools have flourished. American patriotism has been exalted. Those engaged in maintaining the honor of the flag with such signal success have been in a large degree spared from disaster and disease. An honorable peace has been ratified with a foreign nation with which we were at war, and we are now on friendly relations with every power of earth.

The trust which we have assumed for the benefit of the people of Cuba has been faithfully advanced. There is marked progress toward the restoration of healthy industrial conditions, and under wise sanitary regulations the island has enjoyed unusual exemption from the scourge of fever. The hurricane which swept over our new possession of Porto Rico, destroying the homes and property of the inhabitants, called forth the instant sympathy of the people of the United States, who were swift to respond with generous aid to the sufferers. While the insurrection still continues in the island of Luzon, business is resuming its activity, and confidence in the good purposes of the United States is being rapidly established throughout the archipelago.

November 30,  
1899, set apart as  
a day of national  
thanksgiving.

For these reasons and countless others, I, William McKinley, President of the United States, do hereby name Thursday, the thirtieth day of November next, as a day of general thanksgiving and prayer, to be observed as such by all our people on this continent and in our newly acquired islands, as well as those who may be at sea or sojourning in foreign lands; and I advise that on this day religious exercises shall be conducted in the churches or meeting-places of all denominations, in order that in the social features of the day its real significance may not be lost sight of, but fervent prayers may be offered to the Most High for a continuance of the Divine Guidance with-

out which man's efforts are vain, and for Divine consolation to those whose kindred and friends have sacrificed their lives for country.

I recommend also that on this day so far as may be found practicable labor shall cease from its accustomed toil and charity abound toward the sick, the needy and the poor.

In witness whereof I have set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 25th day of October, in the year of our Lord one thousand eight [SEAL.] hundred and ninety-nine, and of the independence of the United States the one hundred and twenty-fourth.

WILLIAM MCKINLEY

By the President:

JOHN HAY

*Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES.

# A PROCLAMATION.

No. 8.  
November 10,  
1899.

31 Stats. L., p.  
1850.

Whereas, by joint resolution "to provide for annexing the Hawaiian Islands to the United States", approved July 7, 1898, the cession by the government of the Republic of Hawaii to the United States of America, of all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and the transfer to the United States of the absolute fee and ownership of all public, government or crown lands, public buildings, or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the government of the Hawaiian Islands, was duly accepted, ratified, and confirmed, and the said Hawaiian Islands and their dependencies annexed as a part of the territory of the United States and made subject to the sovereign dominion thereof, and all and singular the property and rights hereinbefore mentioned vested in the United States of America; and

Preamble

Whereas, it was further provided in said resolution that the existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands, but the Congress of the United States shall enact special laws for their management and disposition; and

Whereas, it is deemed necessary in the public interests that certain lots and plats of land in the City of Honolulu be immediately reserved for naval purposes;

Now Therefore, I, William McKinley, President of the United States, by virtue of the authority in me vested, do hereby declare, proclaim, and make known that the following described lots or plats of land be and the same are hereby, subject to such legislative action as the Congress

Hawaiian Islands.  
Reservation of land for naval purposes.

of the United States may take with respect thereto, reserved for naval purposes, to wit:

1st. Esplanade lots Nos. 94, 95, 96, 97, 98 and 99. Beginning at the South corner of Richards Street and Halekauwila Street, which point is S.  $30^{\circ} 25'$  E., 343.6 feet from the East corner of the Hawaiian Electric Company building and run by the true Meridian:

S.  $30^{\circ} 25'$  E. 304.50 feet along Halekauwila St.

S.  $56^{\circ} 49'$  W. 100.12 feet along Mililani St.

N.  $30^{\circ} 25'$  W. 300.60 feet along Government Lots Nos. 112-100.

N.  $54^{\circ} 34'$  E. 100.38 feet along Richards St. to the initial point. Area 30,255 Sq. Feet.

2nd. Esplanade lots Nos. 63, 64, 65, 66, 67 and 68. Beginning at the North corner of Alakea Street and Allen Street, as shown on Government Survey's Registered Map No. 1867 and running by true bearings:

N.  $30^{\circ} 25'$  W. 200 feet along the Northeast side of Allen Street.

N.  $59^{\circ} 35'$  E. 150 feet along the Southeast side of Kilauea Street.

S.  $30^{\circ} 25'$  E. 200 feet along Lots 62 and 69.

S.  $59^{\circ} 35'$  W. 150 feet along the Northwest side of Alakea Street to the initial point. Area 30,000 Sq. feet.

3rd. Lot at East corner of Mililani and Halekauwila Streets. Beginning at the East corner of Halekauwila and Mililani Streets, as shown on Government Survey's Registered Map No. 1955, and running by true bearings:

N.  $56^{\circ} 49'$  E. 110.5 feet along Mililani Street.

S.  $3^{\circ} 52'$  E. 69.5 feet along inner line of Waikahalulu Water Lots.

S.  $56^{\circ} 49'$  W. 79.5 feet along Bishop Estate Land.

N.  $30^{\circ} 25'$  W. 60.5 feet along Halekauwila Street to the initial point. Area 5,728 Square feet.

4th. A plat of land in Kewalo-uka. Beginning at a point on the upper side of Punchbowl Drive, which is 863 feet South and 2817 feet East of Puowaina Trig. Station, as shown on Government Survey's Registered Map 1749, and running:

N.  $00^{\circ} 10'$  W. true 630 feet along Punchbowl Drive.

S.  $57^{\circ} 00'$  W. true 694 feet along Punchbowl Drive.

Thence along Punchbowl Drive in a North Easterly direction 900 feet; thence due East 840 feet (more or less) to the boundary of the land of Kalawahine; thence along boundary of the land of Kalawahine 1040 feet (more or less) to South Angle of said land; thence S.  $78^{\circ} 30'$  W. true 397 feet (more or less) to Punchbowl Drive;

N.  $84^{\circ} 50'$  W. true 245 feet along Punchbowl Drive to initial point. Area 20 acres (more or less).

5th. Lots on Punchbowl Slope, Nos. 608, 609 and 610. Beginning at a point on the East side of Magazine Street, 351.5 feet above the concrete post marking the East corner of Spencer and Magazine Streets, as shown on Government Survey's Registered Map No. 1749 and runs:

N.  $18^{\circ} 10'$  E. true 150.0 feet along Magazine Street.

N. 49° 12' E. true 226.7 feet along Government Land.

S. 24° 11' E. true 91.0 feet along Government Road Reserve.

S. 77° 21' E. true 179.5 feet along same.

S. 13° 45' E. true 109.8 feet along Government Land to North angle of Gr. 3813 to Dr. Wood.

S. 73° 30' W. true 121.3 feet along Gr. 3814 to H. M. Dow.

S. 76° 15' W. true 250.0 feet along Grs. 3999 and 4000.

N. 71° 50' W. true 102.5 feet along Gr. 4000 to initial Point.

Area 83,588 Sq. feet.

6th. Portion of Reef of Kaakaukui. Beginning at the Government Survey Station known as the "Battery"  $\Delta$  from which, Punchbowl  $\Delta$  bears N. 48° 18' 30'' E. true and the Light House Vane

N. 56° 14' W. distant 1608.1 feet and running as follows:

N. 37° 40' W. true 760 feet along on the reef of Kaakaukui.

S. 39° 00' W. true 3100 feet along the Southeast side of main channel to a depth of 20 feet of water more or less.

S. 9° 25' W. true 987 feet along the reef in about 20 feet of water.

N. 52° 23' E. true 3585 feet along on the reef to a point on the seashore at high water mark.

N. 35° 00' W. true 182 feet along the shore at high water mark.

N. 5° 35' W. true 446 feet along Allen Street Extension to the Southeast corner of the Battery wall.

S. 87° 20' W. true 120 feet to the initial point.

Area  $76\frac{25}{100}$  acres.

7th. Punchbowl Street from Halekauwila Street to Allen Street. Beginning at the Southwest corner of Halekauwila and Punchbowl Streets, as shown on the Government blue print, and running in a Westerly direction along the U. S. Naval Reservation 572 feet to Allen Street, thence along Allen Street 50 feet, thence in an Easterly direction along the United States Naval Reservation 480 feet to land belonging to the Bishop Estate, thence 110 feet to the initial point.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this tenth day of November, in the year of our Lord one thousand eight hundred and ninety-nine, and of the Independence of the United States the one hundred and twenty-fourth.

WILLIAM MCKINLEY.

By the President:

JOHN HAY

*Secretary of State.*

## [A PROCLAMATION.]

No. 8.  
July 25, 1901.  
32 Stats. L., pt.  
2, p. 1983.  
Preamble.  
Vol. 31, p. 78.  
Porto Rico.  
Cessation of  
tariff.

Porto Rican  
revenues.

Act of Porto  
Rican assem-  
bly.

Whereas, by an Act of Congress, approved April 12, 1900, entitled "An Act Temporarily to Provide Revenues and a Civil Government for Porto Rico and for other Purposes," it was provided that, "whenever the legislative assembly of Porto Rico shall have enacted and put into operation a system of local taxation to meet the necessities of the government of Porto Rico, by this Act established, and shall by resolution duly passed so notify the President, he shall make proclamation thereof, and thereupon all tariff duties on merchandise and articles going into Porto Rico from the United States or coming into the United States from Porto Rico shall cease, and from and after such date all such merchandise and articles shall be entered at the several ports of entry free of duty;" and

Whereas by the same act it was provided, "that as soon as a civil government for Porto Rico shall have been organized in accordance with the provisions of this act, and notice thereof shall have been given to the President, he shall make proclamation thereof, and thereafter all collections of duties and taxes in Porto Rico under the provisions of this act shall be paid into the treasury of Porto Rico, to be expended as required by law for the government and benefit thereof, instead of being paid into the Treasury of the United States;" and

Whereas the legislative assembly of Porto Rico has enacted and put into operation a system of local taxation to meet the necessities of the government of Porto Rico as aforesaid, and has passed and caused to be communicated to me the following resolution:

A JOINT RESOLUTION of the Legislative Assembly of Porto Rico, notifying the President of the United States that the Legislative Assembly of Porto Rico has enacted and put into operation a system of local taxation to meet the necessities of the Government of Porto Rico, established by Act of Congress, entitled "an Act temporarily to provide revenues and a Civil Government for Porto Rico, and for other purposes," duly approved April 12th, 1900:

*Be it Resolved by the Legislative Assembly of Porto Rico:*

Whereas: A civil government for Porto Rico has been fully and completely organized in accordance with the provisions of an Act of Congress entitled "An Act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," duly approved April 12th, 1900, and:

Whereas: It was provided by the terms of said Act of Congress, that whenever the Legislative Assembly of Porto Rico shall have enacted and put into operation a system of local taxation to meet the necessities of the Government of Porto Rico, by the aforesaid Act established, and shall by resolution duly passed so notify the President, he shall make proclamation thereof, and thereupon all tariff duties on merchandise and articles going into Porto Rico from the United States, or coming into the United States from Porto Rico shall cease, and from and after such date all such merchandise and articles shall be entered at the several ports of entry free of duty:

Now Therefore: The Legislative Assembly of Porto Rico in extraordinary session duly called by the Governor and held at San Juan, the Capital, on July fourth, A. D. 1901, acting pursuant to the authority and power in it vested by the provisions of the said Act of Congress above referred to, does hereby notify the President of the United States that by virtue of an Act of the Legislative Assembly of Porto Rico, entitled "An Act to provide revenue for the people of Porto Rico, and for other purposes," duly approved



January 31st, A. D. 1901, and of other acts of the Legislative Assembly duly enacted at the first session of the Legislative Assembly of Porto Rico, duly held at San Juan, Porto Rico, commencing December 3rd, 1900, and ending January 31st, A. D. 1901, it has enacted and put into operation a system of local taxation to meet the necessities of the Government of Porto Rico, by the aforesaid Act of Congress established.

The Legislative Assembly of Porto Rico hereby directs that a copy of this joint resolution be presented to the President of the United States, and hereby requests the Governor of Porto Rico to deliver the same to the President, to the end that proclamation may be made by him according to the provisions of the said Act of Congress, and if it shall seem wise and proper to the President, that such proclamation may issue on the twenty-fifth day of July, the said day being a legally established holiday in Porto Rico commemorating the anniversary of the coming of the American flag to the Island.

WILLIAM H. HUNT,  
*President of the Executive Council.*

MAN. F. ROSSY,  
*Speaker of the House of Delegates.*

Approved, July 4th, A. D. 1901.

CHAS. H. ALLEN,  
*Governor.*

Now, therefore, I, William McKinley, President of the United States, in pursuance of the provisions of law above quoted, and upon the foregoing due notification, do hereby issue this my proclamation, and do declare and make known that a civil government for Porto Rico has been organized in accordance with the provisions of the said act of Congress; Porto Rico civil government organized.

And I do further declare and make known that the Legislative Assembly of Porto Rico has enacted and put into operation a system of local taxation to meet the necessities of the government of Porto Rico. Local taxation established.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this twenty-fifth day of July, in the year of our Lord one thousand nine hundred and one, and of the Independence of the United States the one hundred and twenty-sixth.

[SEAL.]

WILLIAM MCKINLEY.

By the President:

DAVID J. HILL,  
*Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

### A PROCLAMATION.

No. 28.  
July 3, 1902.

32 Stats. L., pt. 2, p. 2013.

Whereas, satisfactory proof has been given to me by the Government of Cuba that no discriminating duties of tonnage or imposts are imposed or levied in the ports of Cuba, upon vessels wholly belonging to citizens of the United

Preamble.

States or upon the produce, manufactures, or merchandise imported in the same from the United States, or from any foreign country:

Cuba.  
Suspension of  
discriminating  
tonnage, etc.,  
duties.

R. S., sec. 4228,  
p. 814.

Now, therefore, I, THEODORE ROOSEVELT, President of the United States of America, by virtue of the authority vested in me by section four thousand two hundred and twenty-eight of the Revised Statutes of the United States, do hereby declare and proclaim that, from and after the date of this, my Proclamation, so long as vessels of the United States and their cargoes shall be exempt from discriminating duties as aforesaid, any such duties on Cuban vessels entering the ports of the United States, or on the produce, manufactures, or merchandise imported in such vessels, shall be suspended and discontinued, and no longer.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, the 3rd day of July in the year of our Lord one thousand nine hundred and two, and of the Independence of the United States the one hundred and twenty-sixth.

THEODORE ROOSEVELT

By the President:

JOHN HAY

*Secretary of State.*

No. 29.  
July 4, 1902.  
32 Stats. L., pt.  
2, p. 2014.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

### A PROCLAMATION.

Preamble.

Whereas, Many of the inhabitants of the Philippine Archipelago were in insurrection against the authority and sovereignty of the Kingdom of Spain at divers times from August, 1896, until the cession of the archipelago by that Kingdom to the United States of America, and since such cession many of the persons so engaged in insurrection have until recently resisted the authority and sovereignty of the United States; and

Whereas, The insurrection against the authority and sovereignty of the United States is now at an end, and peace has been established in all parts of the archipelago, except in the country inhabited by the Moro tribes, to which this proclamation does not apply; and

Whereas, During the course of the insurrection against the Kingdom of Spain and against the Government of the United States, persons engaged therein, or those in sympathy with and abetting them, committed many acts in violation of the laws of civilized warfare; but it is believed that such acts were generally committed in ignorance of those laws, and under orders issued by the civil or insurrectionary leaders; and

Whereas, It is deemed to be wise and humane, in ac-

cordance with the beneficent purposes of the Government of the United States towards the Filipino people, and conducive to peace, order, and loyalty among them, that the doers of such acts who have not already suffered punishment shall not be held criminally responsible, but shall be relieved from punishment for participation in these insurrections and for unlawful acts committed during the course thereof by a general amnesty and pardon;

Now, therefore, be it known that I, THEODORE ROOSEVELT, President of the United States of America, by virtue of the power and authority vested in me by the Constitution, do hereby proclaim and declare without reservation or condition, except as hereinafter provided, a full and complete pardon and amnesty to all persons in the Philippine Archipelago who have participated in the insurrections aforesaid or who have given aid and comfort to persons participating in said insurrections for the offenses of treason or sedition and for all offenses political in their character committed in the course of such insurrections pursuant to orders issued by the civil or military insurrectionary authorities, or which grew out of internal political feuds or dissensions, between Filipinos and Spaniards, or the Spanish authorities, or which resulted from internal political feuds or dissensions among the Filipinos themselves during either of said insurrections.

Amnesty to  
Philippine in-  
surrectionists.

*Provided, however,* That the pardon and amnesty hereby granted shall not include such persons committing crimes since May 1, 1902, in any province of the archipelago in which at the time civil government was established, nor shall it include such persons as have been heretofore finally convicted of the crimes of murder, rape, arson or robbery, by any military or civil tribunal organized under the authority of Spain, or of the United States of America, but special application may be made to the proper authority for pardon by any person belonging to the exempted classes and such clemency as is consistent with humanity and justice will be liberally extended; and

Exceptions.

*Further provided,* That this amnesty and pardon shall not affect the title or right of the Government of the United States, or that of the Philippine Islands to any property or property rights heretofore used or appropriated by the military or civil authorities of the Government of the United States, or that of the Philippine Islands, organized under authority of the United States by way of confiscation or otherwise; and

Special appli-  
cation for par-  
don.

Certain prop-  
erty rights, etc.,  
not affected.

*Provided further,* that every person who shall seek to avail himself of this proclamation shall take and subscribe the following oath before any authority in the Philippine Archipelago authorized to administer oaths, namely:

Oath.

"I, \_\_\_\_\_, solemnly swear (or affirm) that I recognize and accept the supreme authority of the United States of America in the Philippine Islands and will maintain true faith and allegiance thereto; that I impose upon myself this obligation voluntarily without mental reservation or purpose of evasion. So help me God."

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, the 4th day of July in the year of our Lord one thousand nine hundred and two, and of the Independence of the United States the one hundred and twenty-seventh.

THEODORE ROOSEVELT

By the President:  
JOHN HAY  
*Secretary of State.*

No. 41.  
January 17, 1903. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.  
32 Stats. L., pt. 2, p. 2029.  
A PROCLAMATION.

Preamble.       Whereas, it is provided by section one of the Act of Congress, approved July first, nineteen hundred and two, entitled, "An Act Authorizing the President to reserve public lands and buildings in the island of Porto Rico for public uses, and granting other public lands and buildings to the government of Porto Rico, and for other purposes", "That the President be, and he is hereby, authorized to make, within one year after the approval of this Act, such reservation of public lands and buildings belonging to the United States in the island of Porto Rico, for military, naval, light-house, marine-hospital, post-offices, custom-houses, United States courts, and other public purposes, as he may deem necessary";

And whereas, the public lands in the island of Porto Rico, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Forest reserve, Porto Rico.       Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section one of the aforesaid Act of Congress, do hereby make known and proclaim that there is hereby reserved and set apart as a Public Forest Reservation all those certain tracts, pieces or parcels of public lands, not heretofore appropriated or reserved, lying and being situate in the island of Porto Rico, and within the boundaries particularly described as follows, to wit:

Boundaries.       Beginning at the point where the parallel of eighteen (18) degrees and twenty-two (22) minutes, north latitude, intersects the meridian of sixty-five (65) degrees and fifty-five (55) minutes, west longitude; thence due east along said parallel to its intersection with the meridian of sixty-five (65) degrees and forty-five (45) minutes, west longitude; thence due south along said meridian to its intersection with the parallel of eighteen (18) degrees and fourteen (14) minutes, north latitude; thence due west along said parallel to its intersection with the meridian of sixty-

five (65) degrees and fifty-five (55) minutes, west longitude; thence due north along said meridian to its intersection with the parallel of eighteen (18) degrees and twenty-two (22) minutes, north latitude, the place of beginning.

Warning is hereby expressly given to all persons not to occupy or use the lands reserved by this proclamation. <sup>Reserved from settlement.</sup>

The reservation hereby established shall be known as <sup>The Luquillo Forest Reserve.</sup>  
The Luquillo Forest Reserve.

In Witness Whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 17th day of January, in the year of our Lord one thousand, nine hundred and three, and of the Independence of the United States the one hundred and twenty-seventh.

THEODORE ROOSEVELT

By the President:

JOHN HAY

*Secretary of State.*





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